



**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): 8/26/2021  
 ORM Number: NWP-2020-283  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: Oregon City: Prospect County/Parish/Borough: Jackson  
 Center Coordinates of Review Area: Latitude 42.73135 Longitude -122.4177

**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 or describe rationale.
- 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
Waterway 1	1.10 acre(s)	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The Review Area is located at river mile 10 of the South Fork Rogue River (Waterway 1). Waterway 1 has a hydrologic surface connection to the Rogue River mainstem near river mile 155. The Rogue River is a listed on the Portland District 1993 list of navigable riverways within the State of Oregon as a navigable water of the U.S. to river mile 27.1.  The Corps determined that Waterway 1 has a perennial flow regime because there is water in the channel during the entirety of a typical year based

<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	
				<p>on Google Earth aerial images from 1994-2021 and data from the May 14, 2020 wetland delineation survey. Waterway 1 appears as a solid blue line stream on U.S. Geological Survey (USGS) maps from 1893-2020. The National Hydrography Dataset (NHD) has also mapped Waterway 1 as a perennial tributary.</p> <p>The Corps concluded that Waterway 1 meets the definition of an (a)(2) tributary because it has a perennial flow regime in a typical year within the Review Area and exhibits a downstream connection to an (a)(1) navigable water through surface water.</p>
Waterway 2	0.07	acre(s)	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	<p>The Review Area is located near river mile 4 of the Middle Fork Rogue River (Waterway 2). Waterway 2 has a hydrologic surface connection to the South Fork Rogue River near river mile 4. The South Fork Rogue River has a hydrologic surface connection to the Rogue River mainstem near river mile 155. The Rogue River is a listed on the Portland District 1993 list of navigable riverways within the State of Oregon as a navigable water of the U.S. to river mile 27.1.</p> <p>The Corps determined that Waterway 2 has a perennial flow regime because there is water in the channel during the entirety of a typical year based on Google Earth aerial images from 1994-2021 and data from the May 14, 2020 wetland delineation survey. Waterway 2 appears as a solid blue line stream on USGS maps from 1893-2020. The NHD has also mapped Waterway 2 as a perennial tributary.</p> <p>The Corps concluded that Waterway 2 meets the definition of an (a)(2) tributary because it has a perennial flow regime in a typical year within the Review Area and exhibits a downstream connection to an (a)(1) navigable water through surface water.</p>

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.



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Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland Y	0.13 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	<p>Wetland Y directly abuts the south bank ordinary high water mark (OHWM) of Waterway 2. The Corps determined that Waterway 2 is an (a)(2) water. Wetland Y is situated below an aboveground diversion pipe that spans Waterway 2 via a bridge. The feature receives natural hydrologic inputs from Waterway 2, surface runoff from the surrounding hillslopes, and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe. The National Wetlands Inventory (NWI) has mapped palustrine forested wetlands in the vicinity of Wetland Y.</p> <p>The Corps determined that Wetland Y is an (a)(4) wetland that abuts an (a)(2) water.</p>
Wetland Z	0.10 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	<p>Wetland Z is located within the Review Area and extends outside of it. Outside of the Review Area Wetland Z directly abuts the north bank OHWM of the Middle Fork Rogue River (Waterway 2 in the Review Area). The Corps determined that Waterway 2 is an (a)(2) water. Wetland Z is situated below an aboveground diversion pipe that spans Waterway 2 via a bridge. The feature receives natural hydrologic inputs from Waterway 2, surface runoff from the surrounding hillslopes, and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe. The NWI has mapped palustrine forested wetlands in the vicinity of Wetland Z.</p> <p>The Corps determined that Wetland Z is an (a)(4) wetland that abuts an (a)(2) water.</p>

**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
Waterway 3	0.09 acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the	Waterway 3 is a daylit, concrete lined channel that extends downstream from the South Fork Rogue River dam. Waterway 3 is located above the OHWM of the north bank of Waterway 1. The hydrologic source of Waterway 3 is the South Fork Rogue River. Surface water within Waterway 3 flows into an aboveground diversion pipe (Waterway 4) in the Review Area.

<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
			conditions of (c)(1).	The time of construction of Waterway 3 is unknown. The Corps reviewed USGS maps from 1893-2020 and did not find evidence that Waterway 3 is a relocated tributary, was constructed in a tributary, or was constructed in an adjacent wetland. Therefore, the feature meets the (b)(5) exclusion pursuant to the Navigable Waters Protection Rule (NWPR).
Waterway 4	5,350	linear feet	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	<p>Waterway 4 is an aboveground diversion pipe above the OHWM of the north bank of Waterway 1. Waterway 4 receives surface water directly from Waterway 3 and diverts water from the South Fork Rogue River. Waterway 4 flows into a daylit aqueduct (Waterway 5) in the Review Area.</p> <p>Waterway 4 was constructed in the 1930s and sits atop a manmade bench above Waterway 1. The Corps reviewed USGS maps from 1893-2020 and did not find evidence that Waterway 4 relocated a historic tributary.</p> <p>The Corps determined that Waterway 4 is not identified in paragraph (a)(1), (a)(2), (a)(3) or (a)(4). Waterway 4 qualifies for the (b)((1) exclusion because it does not meet the definition of a tributary pursuant to the NWPR.</p>
Waterway 5	0.02	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	<p>Waterway 5 is a daylit, concrete lined aqueduct located above the OHWM of the South Fork Rogue River. It receives water from an aboveground diversion pipe (Waterway 4). The aqueduct enters another aboveground diversion pipe outside of the Review Area.</p> <p>The time of construction of Waterway 5 is unknown. The Corps reviewed USGS maps from 1893-2020 and did not find evidence that that Waterway 5 is a relocated tributary, was constructed in a tributary, or was constructed in an adjacent wetland. Therefore, the feature meets the (b)(5) exclusion pursuant to the NWPR.</p>
Waterway 6	734	linear feet	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet	Waterway 6 is an aboveground diversion pipe downstream from Waterway 5. Waterway 6 receives surface water directly from Waterway 5 outside the Review Area. Waterway 6 crosses over Waterway 2 on a bridge span and flows into an aqueduct outside of the Review Area.



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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
		the other (b)(1) subcategories.	<p>Waterway 6 was constructed in the 1930s. The Corps reviewed USGS maps from 1893-2020 and did not find evidence that Waterway 6 relocated a historic tributary.</p> <p>The Corps determined that Waterway 6 is not identified in paragraph (a)(1), (a)(2), (a)(3) or (a)(4). Waterway 4 qualifies for the (b)((1) exclusion because it does not meet the definition of a tributary pursuant to the NWPR.</p>
Wetland A	0.06	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland A sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland A receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland A is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland A does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland B	0.04	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland B sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland B receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>A series of boulders along the OHWM of Waterway 1 separates Wetland B from Waterway 1. The boulders were intentionally placed to impede and dissipate high river flows</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
				<p>to prevent erosion of the manmade bench. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would breach the boulder barrier do not occur in a typical year. Upland sample points collected during the May 14, 2020 wetland delineation survey along the downslope edge of Wetland B provide evidence for the lack of surface water connection between Wetland B and Waterway 1 in a typical year.</p> <p>The Corps determined that Wetland B does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland C	0.03	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland C sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland C receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>A series of boulders along the OHWM of Waterway 1 separates Wetland C from Waterway 1. The boulders were intentionally placed to impede and dissipate high river flows to prevent erosion of the manmade bench. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would breach the boulder barrier do not occur in a typical year. Upland sample points collected during the May 14, 2020 wetland delineation survey along the downslope edge of Wetland C provide evidence for the lack of surface water connection between Wetland C and Waterway 1 in a typical year.</p> <p>The Corps determined that Wetland C does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland D	0.006	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland D sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
			<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland D receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland D is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland D does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland E	0.04	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland E sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland E receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland E is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland E does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland F	0.007	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland F sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
				<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland F receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland F is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland F does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland G	0.008	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland G sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland G receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland G is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland G does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland H	0.005	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland H sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
				<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland H receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland H is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland H does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland I	0.003	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland I sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland I receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland I is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland I does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland J	0.003	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland J sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated</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
			<p>next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland J receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland J is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland J does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland K	0.01	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland K sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland K receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland K is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland K does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland L	0.006	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland L sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
				<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland L receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland L is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland L does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland M	0.004	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland M sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland M receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland M is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland M does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland N	0.01	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland N sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
			<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland N receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland N is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland N does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland O	0.04	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland O sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland O receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland O is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland O does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland P	0.003	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland P sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
				<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland P receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland P is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland P does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland Q	0.01	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland Q sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland Q receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland Q is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland Q does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland R	0.005	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland R sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
			<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland R receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland R is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland R does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland S	0.007	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland S sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland S receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland S is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland S does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland T	0.005	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland T sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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	
				<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland T receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland T is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland T does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland U	0.004	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland U sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland U receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland U is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland U does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland V	0.004	acre(s)	(b)(1) Non-adjacent wetland.	<p>Wetland V sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
			<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland V receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland V is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland V does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland W	0.004	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland W sits atop a manmade bench above the OHWM of Waterway 1. The feature is situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland W receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland W is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland W does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>
Wetland X	0.01	acre(s)	<p>(b)(1) Non-adjacent wetland.</p> <p>Wetland X sits atop a manmade bench above the OHWM of Waterway 1. The feature is</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
			<p>situated next to Waterway 4, an aboveground diversion pipe that the Corps determined to qualify for the (b)(1) exclusion. Wetland X receives natural hydrologic inputs from surface runoff from the surrounding hillslopes and incident precipitation. Hydrology is also artificially influenced by leaks in Waterway 4 pipe.</p> <p>Wetland X is situated on flat terrain, above the steep riverbank slopes of Waterway 1. Water levels in Waterway 1 are controlled by the South Fork Rogue River dam immediately upstream of the Review Area and thus, high flows in the river that would reach the downslope edge of the wetland do not occur in a typical year. The NWI has not mapped aquatic features along this portion of the Waterway 4 alignment.</p> <p>The Corps determined that Wetland X does not meet the definitions of (a)(1)-(a)(3) waters and does not meet the definition for an adjacent wetland.</p>

**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: [Dustin Day, Professional Wetland Scientist \(PWS\) WSP Consultants. Wetland Delineation Report: Prospect 3 Implementation Projects. Prepared for PacifiCorps. June 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The consultant prepared the wetland delineation report in accordance with the U.S. Army Corps of Engineers \(USACE\) 1987 Wetland Delineation Manual and the USACE 2010 Regional Supplement for the Western Mountains, Valleys, and Coast Region.](#)

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

Photographs: [Other: Dustin Day, PWS WSP Consultants. Wetland Delineation Report: Prospect 3 Implementation Projects. Prepared for PacifiCorps. Photographs 1-27. June 2020.](#)

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

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: [Dustin Day, PWS WSP Consultants. Wetland Delineation Report: Prospect 3 Implementation Projects. Prepared for PacifiCorps. Figure 6. June 2020.](#)

USFWS NWI maps: [Dustin Day, PWS WSP Consultants. Wetland Delineation Report: Prospect 3 Implementation Projects. Prepared for PacifiCorps. Figures 4A-4B. June 2020.](#)

USGS topographic maps: [1\) USGS. Topoview. Prospect South 24k Topographic Map \(2020\). Online: https://ngmdb.usgs.gov/topoview/viewer/#14/42.7268/-122.4241. Accessed April 2021. 2\) USGS.](#)



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Topoview. Ashland 250k Topographic Map (1897). Online:  
<https://ngmdb.usgs.gov/topoview/viewer/#14/42.7268/-122.4241>. Accessed April 2021.

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

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS. NHD. Online: <a href="https://geoportal.nwp.usace.army.mil/">https://geoportal.nwp.usace.army.mil/</a> . Accessed April 2021.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** The Corps determined that Waterway 1 and 2 have a perennial flow regime because there is water in the channels during the entirety of a typical year based on all Google Earth Pro aerial images from June, July, August, and November from 1994 to 2021 and data from the May 14, 2020 wetland delineation survey.

**C. Additional comments to support AJD:** As described above in the Rationale for Wetlands B and C, a series of boulders separates these features from Waterway 1. Upland sample points collected during the May 14, 2020 wetland delineation survey along the downslope edges of Wetlands B and C provide evidence for the lack of surface water connection between Wetland B and Waterway 1 in a typical year. These upland sample points were placed near the OHWM elevation of Waterway 1 outside the row of boulders. Vegetation was dominated by facultative-upland species such as oceanspray (*Holodiscus discolor*) and trailing blackberry (*Rubus ursinus*). Hydric soil and wetland hydrology indicators were not identified. In comparison, wetland sample points collected within the boundaries of Wetlands B and C identified surface water and were dominated by facultative-wetland vegetation such as common rush (*Juncus effusus*) and coltsfoot (*Petasites frigidus*).