

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 14 February 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CENWP-ODG, AKS Engineering & Forestry LLC., NWP-2022-411

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Oregon County/parish/borough: Marion City: Salem
Center coordinates of site (lat/long in degree decimal format): Lat. 45.000818°, Long. -122.964935°
Universal Transverse Mercator: Refer to Lat./Long. above.
Name of nearest waterbody: Little Pudding River
Name of watershed or Hydrologic Unit Code (HUC): Lower Little Pudding River - 170900090109

- Check if map/diagram of review area is available upon request.
 Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- Office (Desk) Determination. Date: February 14, 2023
 Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are **no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are **no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: 4680 Hazelgreen Road Wetland Determination Report dated June 2021.
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Office concurs with data sheets/delineation report.
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps:
 U.S. Geological Survey Hydrologic Atlas: 170900090109
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: 1:24 K, Gervais
 USDA Natural Resources Conservation Service Soil Survey. Citation:
 National wetlands inventory map(s). Cite name:
 State/Local wetland inventory map(s):
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Google Earth July 18, 2022
 or Other (Name & Date): Applicant site photographs from delineation.
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: An open water feature was delineated next to a culvert along the south portion of the review area. The feature formed on a compacted gravel area within loam soils and no discernable pattern of flow from the feature to the north or in any other cardinal direction. The open water feature has a restrictive gravel layer 2 inches below the soils in the bottom of the feature. A ditch feature was delineated extending from the open water feature north/northeast within the review area. The ditch feature exits the eastern boundary review area at the approximate eastern center of the review area. The ditch functions as a low flow swale, does not possess a streambed, streambanks, ordinary high water mark, and was not delineated as a wetland. The ditch was constructed from upland loam soils, only conveys

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

stormwater during rainfall events, and has no indication of carrying relatively permanent surface water flow. The roadside ditch along the north side of the property conveys stormwater during rainfall events and has no discernable ordinary high water mark. There is no evidence of sediment sorting and the soils are loam soils with high permeability. None of these features are jurisdictional waters of the U.S.