



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PORTLAND DISTRICT
P.O. BOX 2946
PORTLAND, OR 97208-2946

December 29, 2023

Regulatory Branch
Corps No. NWP-2023-403



Dear [REDACTED]:

The U.S. Army Corps of Engineers (Corps) received your request for an Approved Jurisdictional Determination (AJD) of the aquatic resources within the review area on the property located east of Durkee Road and south of Interstate-84 in Durkee, Baker County, Oregon at Latitude/Longitude: 44.585439°, -117.462063°. Other aquatic resources, including wetlands, that may occur on this property or on adjacent properties outside the review area are not the subject of this determination.

The Corps has determined ES-01 within the review area is not a waters of the U.S. The enclosed *Memorandum for Record* (MFR) (Enclosure 1) provides the size, criteria and rationale for jurisdiction for all aquatic resources within the review area. The perimeter of the review area and the boundaries of the delineated waters of the U.S. subject to this AJD are identified on the enclosed drawings (Enclosure 2).

If you object to the enclosed AJD, you may request an administrative appeal under 33 CFR Part 331 as described in the enclosed *Notification of Administrative Appeal Options and Process and Request for Appeal (RFA)* form (Enclosure 3). To appeal this AJD, you must submit a completed *RFA* form to the Corps Northwestern Division (NWD) office at the address listed on the form. In order for the request for appeal to be accepted, the Corps must determine that the form is complete, that the request meets the criteria for appeal under 33 CFR § 331.5, and the form must be received by the NWD office within 60 days from the date on the form. It is not necessary to submit the form to the NWD office if you do not object to the enclosed AJD.

This AJD is valid for a period of five years from the date of this letter unless new information warrants revisions of the determination.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a Natural Resources Conservation Service Certified Wetland Determination with the local USDA service center, prior to starting work.

We would like to hear about your experience working with the Portland District, Regulatory Branch. Please complete a customer service survey form available on our website (<https://regulatory.ops.usace.army.mil/customer-service-survey/>).

If you have any questions regarding our Regulatory Program or permit requirements for work in waters of the U.S., please contact [REDACTED]

FOR THE COMMANDER, LARRY D. CASWELL, JR., PE, PMP, COLONEL, U.S. ARMY,
DISTRICT COMMANDER and DISTRICT ENGINEER:

[REDACTED]
For: [REDACTED]
Chief, Regulatory Branch

Enclosures

cc with drawings:

Oregon Department of State Lands ([REDACTED])
Oregon Department of Environmental Quality ([REDACTED])



Legend

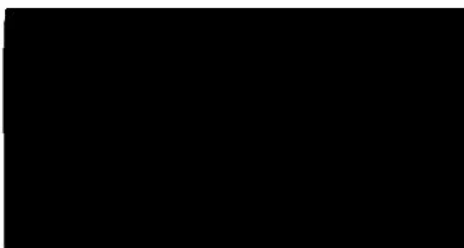
Review Area (35 ac)



0 300 600 1,200
Feet
1:7,200 1 inch equals 600 feet

DATA SOURCES
ESRI WMS - World Aerial Imagery, OpenStreetMap

Project No.:
NB237023
Date:
Jun 2023
Drawn By:
Reviewed By:



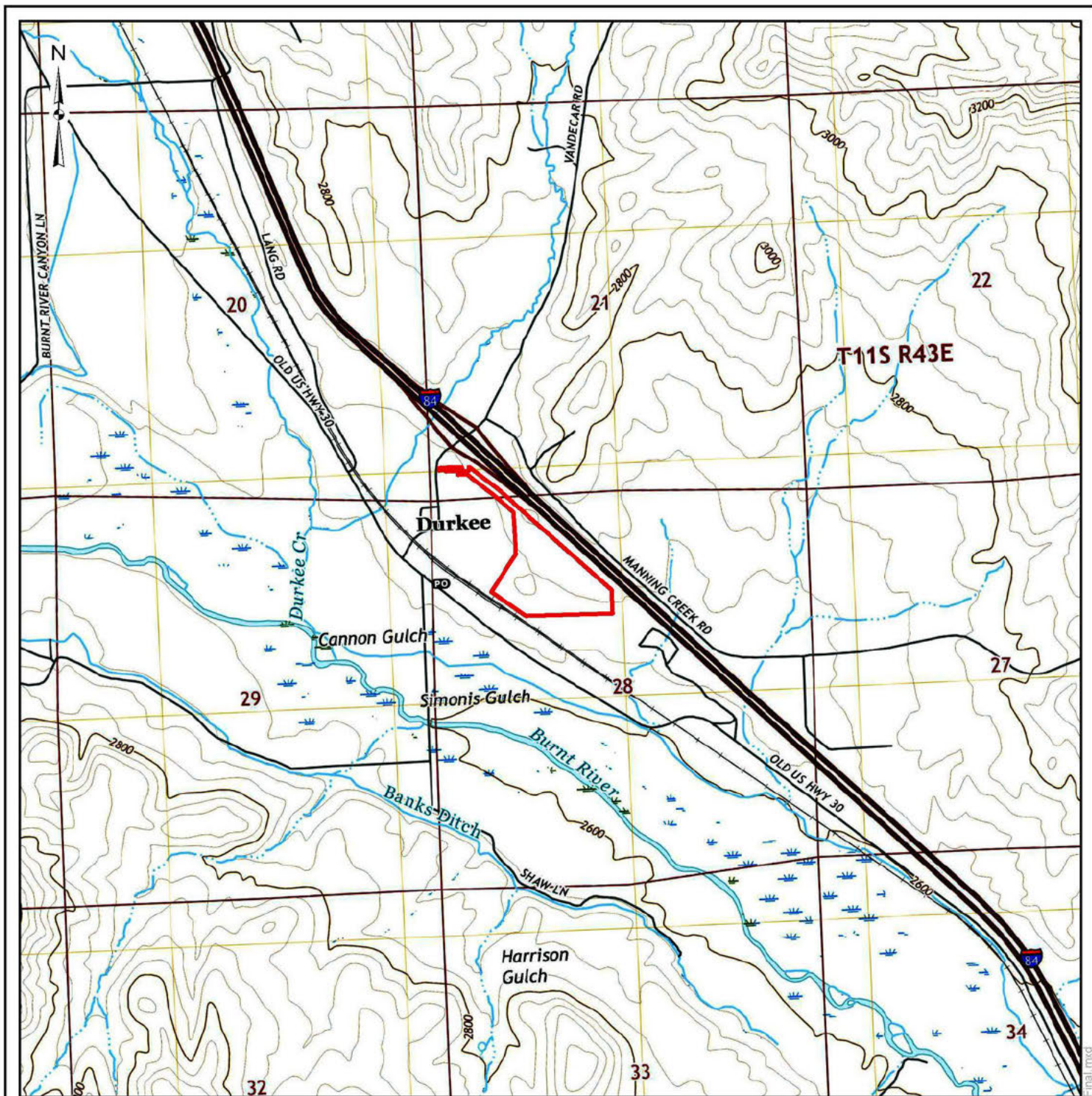
SITE DIAGRAM

Aquatic Resources Delineation Report

Durkee Solar Farm
Durkee, OR

Exhibit

1



Legend

Review Area (35 ac)

0 1,000 2,000 4,000
Feet
1:24,000 1 inch equals 2,000 feet

DATA SOURCES
ESRI WMS - World Aerial Imagery, OpenStreetMap

Project No.:
NB237023
Date:
Jun 2023
Drawn By:
Reviewed By:

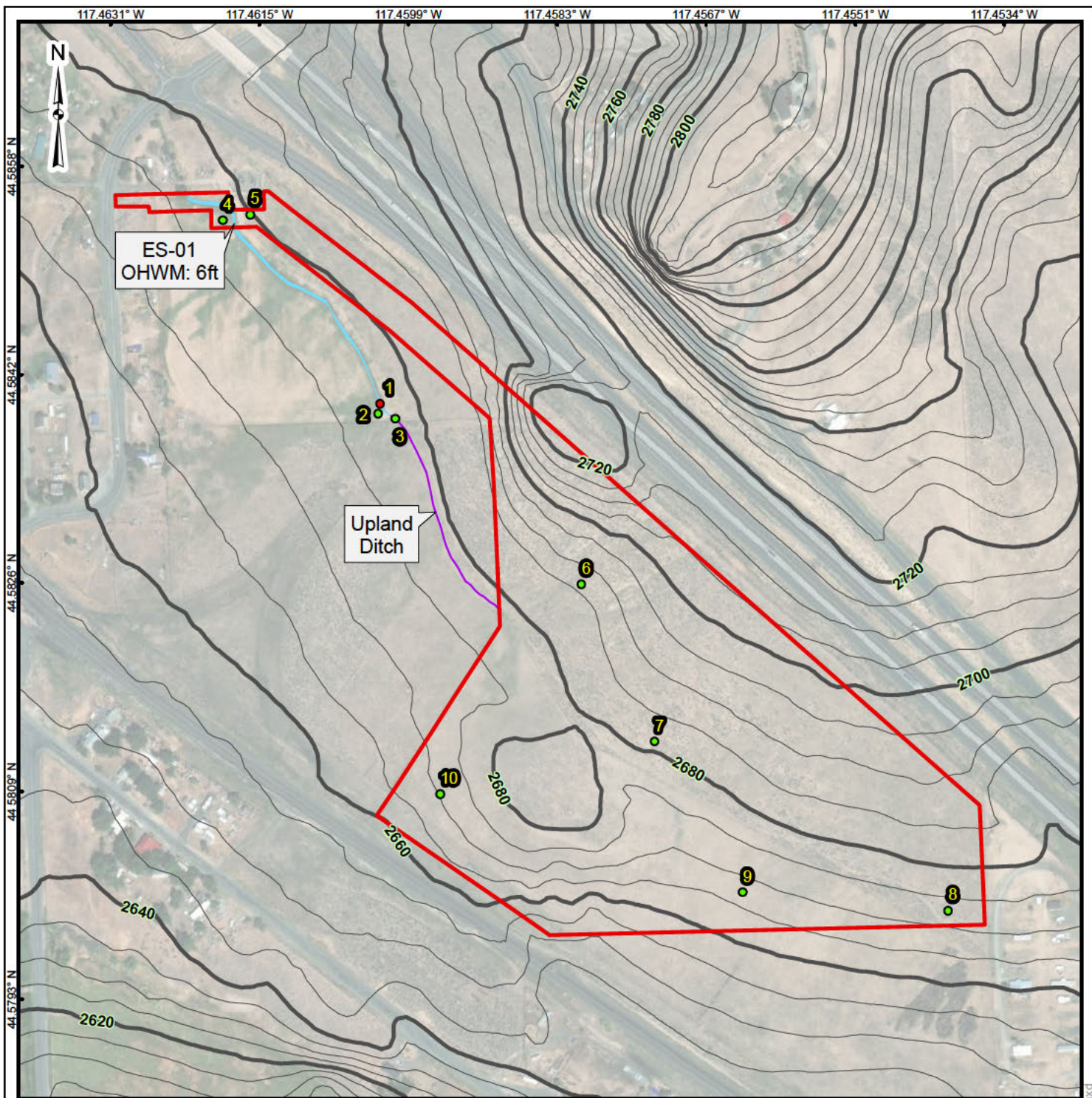
TOPOGRAPHIC MAP

Aquatic Resources Delineation Report

Durkee Solar Farm
Durkee, OR

Exhibit

2



Legend

Review Area (35 ac)

Irrigation Channel

Ephemeral Stream (ES-01) (0.12 ac)

Data Points

● Wetland

● Upland

Elevation Contours

— Interval Contour (5 ft)

— Index Contour (20 ft)

0 200 400 800
Feet
1:4,800 1 inch equals 400 feet

DATA SOURCES:

ESRI WMS - World Aerial Imagery

Datum - NAD 83; Vertical Datum - NAVD 88

Coordinate System: Oregon North State Plane (3601)

Project No.:

NB237023

Date:

Aug 2023

Drawn By:

Reviewed By:

DELINEATED AQUATIC RESOURCES MAP

Aquatic Resources Delineation Report

Durkee Solar Farm
Durkee, OR

Exhibit

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