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Regulatory Program



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INTERIM APPROVED JURISDICTIONAL DETERMINATION FORM U.S. Army Corps of Engineers

SECTION I: BACKGROUND INFORMATION

A. COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (AJD): 21-May-19

B. ORM NUMBER IN APPROPRIATE FORMAT (e.g., HQ-2015-00001-SMJ): NWP-2004-883/3

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Oregon County: Douglas County City: Winchester
Center coordinates of site (lat/long in degree decimal format): Lat. 43.296666°, Long. -123.357808°
Map(s)/diagram(s) of review area (including map identifying single point of entry (SPOE) watershed and/or potential jurisdictional areas were applicable is/are: attached in report/map

Other sites (e.g., offsite mitigation sites, disposal sites, etc.) are associated with this action and are recorded on a different jurisdictional determination (JD) form. List JD form ID numbers (e.g., HQ-2015-00001-SMJ)

The review area consists of approximately 12.68 acres undeveloped land west of the Central Oregon and Pacific Railroad's (CORP) rail line, and both north and south of Del Rio Road near Winchester, Douglas County, Oregon.

In addition to the data sources listed in Section II, the reviewer examined the following:

The Corps reviewed information submitted with the 16 October 2018 application and supporting documentation contained in the original project folder (NWP-2004-883) such as historic aerial photographs found in the original delineation. Circa 2010 the Oregon Department of Transportation (ODOT), in cooperation with Douglas County, realigned a section of Del Rio Road through the current review area (under permit NWP-2009-124). The Corps reviewed the wetland delineation, the Preliminary Jurisdictional Determination (PJD) for permit NWP-2009-124, and various project drawings associated with the ODOT project. Information associated with the ODOT project is relevant because it partially overlaps Lots 2 and 3. Lots 1, 2 and 3 are within the study area for this AJD.

Information relevant to the overall Corps jurisdiction in the current permit application submittal for the proposed industrial development project was not requested by the applicant, therefore, the determination is focused on three proposed smaller lots within Douglas County Assessor's Tax Lot 100.

D. REVIEW PERFORMED FOR SITE EVALUATION:

- Office (Desk) Determination Only. Date:
 Office (Desk) and Field Determination. Office/Desk Date(s): 22-Apr-19 Field Date(s): 11-Apr-19

SECTION II: DATA SOURCES

Check all that were used to aid in the determination and attach data/maps to this AJD form and/or references/citations in the administrative record, as appropriate.

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant. Title/Date: Wetland Determination Report for the Winchester Industrial Park, 398 Del Rio Road, Roseburg, Oregon prepared by PBS Engineering and Environmental and dated 15 June 2018.

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Data sheets/delineation report are sufficient for purposes of AJD form. Title/Date: Wetland Determination Report for the Winchester Industrial Park, 398 Del Rio Road, Roseburg, Oregon prepared by PBS Engineering and Environmental and dated 15 June 2018.

- Data sheets/delineation report are not sufficient for purposes of AJD form. Summarize rationale and include information on revised data sheets/delineation report that this AJD form has relied upon:
- Data sheets prepared by the Corps. Title/Date:
- Corps navigable waters study. Title/Date: Navigable Riverways within the State of Oregon, Portland District Corps of Engineers, dated October 1993
- Corps Map ORM layers. Title/Date: ORM accessed JD Viewer SPOE, Landform, Soils and Vegetation maps generated 17 January 2019;
- USGS Hydrologic Atlas. Title/Date: Corps GIS data layer accessed 29 November 2018
- USGS, NHD, or WBD data/maps. Title/Date: Corps GIS data layer accessed 29 November 2018
- USGS 8, 10, and/or 12 digit HUC maps. HUC number: 171003011105
- USGS maps. Scale & quad name and date: 1:24 K Winchester, Oregon 1987
- USDA NRCS Soil Survey. Citation: Curtin clay, 3 to 12 percent slopes (48C), non-hydric with minor components of hydric soils; Natroy clay, 0 to 2 percent slopes (158A) hydric within minor components of non-hydric soils. <https://websilsurvey.sc.egov.usda.gov/App/HomePage.htm> accessed 29 November 2018 and 22 April 2019 respectively.
- USFWS National Wetlands Inventory maps. Citation: Available data was photos interpreted at a 1:58K scales for color infrared imagery from 1982. Two excavated ponds, palustrine unconsolidated bottom, permanently flooded, excavated (PUBHx) and palustrine, emergent, persistent, excavated are Located in Lots 2 and 3. These features appear on the landscape as late as 6 May 1994. By 12 July 2001, these features are gone.
- State/Local wetland inventory maps. Citation:
- FEMA/FIRM maps. Citation: FEMA Firmette No. 41019C1365F Effective date 17 February 2010. FEMA Flood Map. The entire project area is outside of the FEMA flood zone.
- Photographs: Aerial. Citation: Google Earth maps dated 15 July 2015; 29 July 2011; 28 June 2005; 12 July 2002 and 6 May 1994.
- Other. Citation:
- LIDAR data/maps. Citation: "NWP-2004-883/3 Bare Earth Slope" map generated on 22 January 2019 of Oregon Department of Geology and Mineral Industries LiDAR map of Lots 1 through 3; Oregon Department of Geology and Mineral Industries <https://gis.dogmai.oregon.gov/maps/lidarviewer>
- Previous JD's. NWP-2009-124 dated and countersigned 21 October 2010
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- OTHER INFORMATION (PLEASE SPECIFY):
 - 1) Back Nine Industrial Development, Douglas County Stormwater Management Plan prepared by Derek Miller, P.E and dated 30 August 2018 as part of the joint permit application submitted to the Corps of Engineers on 16 October 2018.
 - 2) Revised Douglas County Forest Products Stormwater Pollution Control Plan August 1, 2017 to July 31, 2022 prepared by Mick Baranko for Douglas County Forest Products and an undated, untitled map provided by Mick Baranko of Douglas County Forest Products to Department of Environmental Quality which replaced the map in the Plan on 18 March 2019. Revised Title/Date: The Douglas County Forest Products Stormwater Pollution Control Plan August 1, 2017 to July 31, 2022 was revised on 18 March 2019 to better reflect the location of NPDES acreage.

SECTION III: SUMMARY OF FINDINGS

A. RIVERS AND HARBORS ACT (RHA) SECTION 10 DETERMINATION OF JURISDICTION

“navigable waters of the U.S.” within RHA jurisdiction (as defined by 33 CFR part 329) in the review area.

• **Complete Table 1 – Required**

NOTE: If the navigable water is not subject to the ebb and flow of the tide or included in the District’s list of Section 10 navigable waters list, DO NOT USE THIS FORM TO MAKE THE DETERMINATION. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Section 10 RHA navigability determination.

B. CLEAN WATER ACT (CWA) SECTION 404 DETERMINATION OF JURISDICTION: “waters of the U.S.” within CWA jurisdiction (as defined by 33 CFR part 328.3) in the review area. Check all that apply.

(a)(1): All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (Traditional Navigable Waters (TNWs))

• **Complete Table 1 – Required**

This AJD includes a case-specific (a)(1) TNW (Section 404 navigable-in-fact) determination on a water that has not previously been designated as such. Documentation required for this case-specific (a)(1) TNW determination is attached.

(a)(2): All interstate waters, including interstate wetlands.

• **Complete Table 2 – Required.**

(a)(3): Territorial Seas.

• **Complete Table 3 – Required.**

(a)(4): All impoundments of waters otherwise identified as waters of the U.S. under 33 CFR part 328.3.

• **Complete Table 4 – Required.**

(a)(5): All tributaries, as defined in 33 CFR part 328.3, of waters identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 5 – Required.**

(a)(6): All waters adjacent to a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3, including wetlands, ponds, lakes, oxbows, impoundments, and similar waters.

• **Complete Table 6 – Required.**

Bordering/Contiguous.

Neighboring:

(c)(2)(i): All waters located within 100 feet of the ordinary high water mark of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3.

(c)(2)(ii): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 and not more than 1,500 feet of the OHWM of such water.

(c)(2)(iii): All waters located within 1,500 feet of the high tide line of a water identified in paragraphs (a)(1) or (a)(3) of 33 CFR part 328.3, and all waters within 1,500 feet of the OHWM of the Great Lakes.

(a)(7): All waters identified in 33 CFR 328.3(a)(7)(i)-(v) where they are determined, on a case-specific basis, to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 7 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(7) waters identified in the similarly situated analysis. – Required.**

Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

(a)(8): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3 not covered by (c)(2)(ii) above and all waters located within 4,000 feet of the high tide line or OHWM of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 where they are determined on a case-specific basis to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of CFR part 328.3.

• **Complete Table 8 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(8) waters identified in the similarly situated analysis. – Required.**

Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

C. NON-WATERS OF THE U.S. FINDINGS:

Check all that apply.

- The review area is comprised entirely of dry land.
- Potential-(a)(7) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
 - **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(7) waters identified in the similarly situated analysis. – Required.**
 - Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.
- Potential-(a)(8) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
 - **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(8) waters identified in the similarly situated analysis. – Required.**
 - Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.
- Excluded Waters (Non-Waters of U.S.), Even where they otherwise meet the terms of paragraph (a)(4)-(a)(8):
 - **Complete Table 10 – Required.**
 - (b)(1): Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA.
 - (b)(2): Prior converted cropland.
 - (b)(3)(i): Ditches with ephemeral flow that are not a relocated tributary or excavated in a tributary.
 - (b)(3)(ii): Ditches with intermittent flow that are not a relocated tributary, or excavated in a tributary, or drain wetlands.
 - (b)(3)(iii): Ditches that do not flow, either directly or through another water, into a water identified in paragraphs (a)(1)-(a)(3).
 - (b)(4)(i): Artificially irrigated areas that would revert to dry land should application of water to that area cease.
 - (b)(4)(ii): Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds.
 - (b)(4)(iii): Artificial reflecting pools or swimming pools created in dry land.¹
 - (b)(4)(iv): Small ornamental waters created in dry land.¹
 - (b)(4)(v): Water-filled depressions created in dry land incidental to mining or construction activity, including pits excavated for obtaining fill, sand, or gravel that fill with water.
 - (b)(4)(vi): Erosional features, including gullies, rills, and other ephemeral features that do not meet the definition of tributary, non-wetland swales, and lawfully constructed grassed waterways.¹
 - (b)(4)(vii): Puddles.¹
 - (b)(5): Groundwater, including groundwater drained through subsurface drainage systems.¹
 - (b)(6): Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land.¹
 - (b)(7): Wastewater recycling structures created in dry land; detention and retention basins built for wastewater distributary structures built for wastewater recycling.
- Other non-jurisdictional waters/features within review area that do not meet the definitions in 33 CFR 328.3 of (a)(1)-(a)(8) waters and are not excluded waters identified in (b)(1)-(b)(7).
 - **Complete Table 11 – Required.**

D. ADDITIONAL COMMENTS TO SUPPORT AJD:

The review area is approximately 12.68 acres of a 152.42 proposed development by Back Nine. The area under review was evaluated in the wetland delineation prepared by PBS Environmental Services, dated 15 June 2018. It identified three wetlands (Wetland A, B and C) totaling 1.42 acres and two ditches defined as drainage ditches (Ditch A and B) totaling approximately 0.33 acres.

The wetlands in Lot 3 (Wetlands A and B) abut a narrow, shallow tributary that enters Lot 3 from the northeast as shown in the attached aerial photograph titled "Observed Flow Patterns 11 April 2019". The flow bifurcates a short distance after entering the lot, with some flows continuing north and the remainder heading west in the drainage (Ditch A) ditch separating Lot 3 from the property to the north. Flows generated in Lot 3 and from the east side of the CORP

¹ In many cases these excluded features will not be specifically identified on the AJD form, unless specifically requested. Corps Districts may, in case-by-case instances, choose to identify some or all of these features within the review area.

rails discharge to the north, into a small pond located in a perennial channel oriented east and west and eventually entering the North Fork Umpqua River via a hydrologic surface connection near river mile (RM) 6. The pond and perennial channel are outside of the proposed project area and in private ownership. Vegetative cover makes it difficult to track the course of the drainage on the aerial photograph as it heads west, but according to the U.S. Geological Survey Quad maps the channel ultimately discharges into the North Umpqua River. This drainage is visible in aerial photographs dating from 7 May 1967 to 17 July 2015.

Ditch A separating Lot 3 from the adjoining property to the north flows west approximately 700 feet before turning south and into a culvert under "New" Del Rio Road. Flows are routed into drainage Ditch B south of "New" Del Rio along the western boundary of Lots 1 and 2 at the base of a slope. Wetland C, located in Lot 1, abuts Ditch B. Ditch B ultimately terminates in a concrete lined catchment basin associated with the Douglas County Forest Product (DCFP) National Pollutant Discharge Elimination System (NPDES) 1200-Z monitoring point parallel with Old Del Rio Road and south of Lot 1 where it co-mingles with water draining from other areas on the larger property. Flows from this catchment basin are controlled by a gate valve. Based on information referenced in an email between the Oregon Department of Environmental Quality (ODEQ) and DCFP dated 18 March 2019, water leaving the catchment basin flows north along the east side of Old Del Rio Road and into a culvert under the road. Flows continue north along the west side of the road. The flow ultimately reaches the North Umpqua River upstream of the U.S. Geological Survey (USGS) gauging station near RM 6. At the time of the Corps' site visit on 11 April 2019 the valve was open and water was flowing west out of the catchment basin, through a culvert and into a drainage channel parallel with Old Del Rio Road.

The catchment basin itself is partially fed by above ground pipes which run parallel with Old Del Rio and appear to transfer industrial waste water from the DCFP log decks and other processing water from the mill facility and stormwater from the DCFP mill's 93.29 acre property which includes 54.5 acre of impervious surface. Stormwater control features constructed to convey, treat or store stormwater created in dry land remain excluded from Section 404 jurisdiction under the 2015 Clean Water Rule.

The U.S. Department of Agriculture Natural Resources Conservation Service soil survey (see attached) indicates Lot 3 is located near the intersection of several soil types, including Natroy (158A) and Curtain (48C). Natroy is listed as a hydric soil with a non-hydric inclusion. Curtain is non-hydric with hydric inclusions. Based upon visual observations in the field and review of the readily available aerial photographs (primarily those on Google Earth aerial imagery), the wetlands in Lot 3 appear to continue north across the property line and onto the adjacent parcel, Tax Lot 400 of Douglas County Assessor's Map ID 26062400400, which is currently owned by Del Rio LLC. Generally, the 4.56 acre Lot 3 slopes to the north.

The Corps reviewed historic information including National Wetland Inventory data which identified a large excavated pond within what are now Lots 2 and 3. The pond was excavated sometime after 7 May 1967 and filled not later than 12 July 2002. A photo dated 6 May 1994 shows the pond and Drainage Ditch A. Drainage Ditch A is located north of a berm around the pond. Flows move north as shown by dark streaks on the 20 June 1994 aerial photo submitted with the wetland delineation for the Winchester Pond and Mill Site (Plate 3) standard permit issued on 17 February 2006. Later photos indicated Drainage Ditch A and B have persisted despite the removal of the pond, as have wetland and channel bed and bank signatures on the landscape to the north of Lot 3. Photos dated 28 June 2005; 29 July 2011 and 15 July 2015 show a perennial to intermittent channel abutting Wetlands A and B. During the 11 April 2019 site visit, water was partially flowing from Drainage Ditch A into Drainage Ditch B and also north along the slope gradient through a narrow tributary on Tax Lot 400 and as surface saturation on Lot 3 which is located in Tax Lot 100. Drainage Ditch A and Wetland B appear to have additional hydrological inputs from surrounding areas east of the CORP rails as well as minor stormwater inputs from the new Del Rio Road.

The applicant submitted the DCFP Stormwater Pollution Control Plan August 1, 2017 to July 31, 2022 map-revised on 18 March 2019 which supports Douglas County Forest Products' NPDES 1200-Z permit. The permit includes monitoring, but does not treat stormwater from the company's approximate 93 acre mill site. The Corps, representatives from Back Nine and ODEQ visited the site on 11 April 2019 and observed flows into Lot 3, particularly into Wetland B (0.04 acre) from the adjacent acreage north of new Del Rio Road. Also observed was flow along Ditch A flowing north of a culvert as surface saturation and as a narrow channel, and south through Drainage Ditch A into Drainage Ditch B where, according to the revised 18 March 2019 DCFP Stormwater Pollution Control Plan, it flows into a monitoring system before being discharged, untreated, into the North Fork Umpqua as described by the Douglas County Plan. Prior to this revised map, the applicant stated water released from Drainage Ditch A or B did not reach a navigable water and the site was isolated. The DCFP "Stormwater Pollution Control Plan August 1, 2017 to July 31, 2022" (Plan) states, "Surface water from non-production areas of the property and drainage of water from the log pond leaves the Company's property from one location at the South West corner of the property. The drainage then travels west adjacent to Del Rio Road for ultimate discharge into the North Umpqua River via a hydrologic surface connection, river mile 6.04 or approximately two miles east of USGS Station No. 14319500."

Drainage Ditch A drains Wetlands A and B. In addition to direct observation, the Google Earth elevation profile tool shows that Lot 3 drains to the north and that flows captured by Drainage Ditch A are a result of excavation within wetland and surface waters originating northeast of New Del Rio Road. Drainage Ditch A and B function as an intermittent tributary. Ditch A drains wetland in at least two areas, has a discernable bed and banks, ordinary high water mark especially near the culvert connecting Wetland A and B and contributes flows from a variety of sources: wetland drainage, precipitation, base flows from the natural uplands to the east and stormwater carried along the CORP rail rights-of-way. This water is transferred to Drainage Ditch B where it ultimately leaves the mill site and travels with mill stormwater into the North Fork Umpqua, a large perennial stream. Drainage Ditch A may partially drain wetland to the north depending on the saturation levels.

Drainage Ditch B has persisted in its current location (Google Earth 12 July 12 2001) at the base of a hill separating DCFP property from adjacent properties along a continuous and longstanding (1994) corridor of Himalayan blackberry (FAC). Drainage Ditch B abuts Wetland C prior to entering pipe, thus it is a source of hydrology for Wetland C.

Waters that meet the rule definition of tributary remain tributaries even if there is a manmade break at some point along the connection to the traditionally navigable water, here, the South Fork Umpqua River, approximate RM 112, which is six miles downstream. The South Fork Umpqua River is included in the Umpqua River Navigable Water designation to RM 122.2. The breaks occur at new Del Rio Road and to the south of Wetland C where it is piped for approximately 100 feet before entering the channel west of the NPDES monitoring point parallel with old Del Rio Road.

Jurisdictional Waters of the U.S.

Default field entry is "N/A". Delete "N/A" and fill out all fields in the table where the applicable for waters/features present in the review area.

Table 1. (a)(1) Traditional Navigable Waters

(a)(1) Waters Name	(a)(1) Criteria	Rationale to Support (a)(1) Designation Include High Tide Line or Ordinary High Water Mark indicators, when applicable.
N/A	Choose an item.	N/A

Table 2. (a)(2) Interstate Waters

(a)(2) Waters Name	Rationale to Support (a)(2) Designation
N/A	N/A

Table 3. (a)(3) Territorial Seas

(a)(3) Waters Name	Rationale to Support (a)(3) Designation
N/A	N/A

Table 4. (a)(4) Impoundments

(a)(4) Waters Name	Rationale to Support (a)(4) Designation
N/A	N/A
N/A	N/A

Table 5. (a)(5) Tributaries

(a)(5) Waters Name	Flow Regime	(a)(1)-(a)(3) Water Name to which this (a)(5) Tributary Flows	Tributary Breaks	Rationale for (a)(5) Designation and Additional Discussion. Identify flowpath to (a)(1)-(a)(3) water or attach map identifying the flowpath; explain any breaks or flow through excluded/non-jurisdictional features, etc.
Ditch A	Intermittent	South Fork Umpqua River	Yes	Ditch A drains wetland in at least two areas, has a discernable bed and banks, ordinary high water mark especially near the culvert connecting Wetland A and B, and contribute flows from a variety of sources: wetland drainage, precipitation, base flows from the natural uplands to the east and stormwater carried along the CORP rail rights-of-way. This water is transferred to Drainage Ditch B where it ultimately leaves the mill site and travels with mill stormwater into the North Fork Umpqua, six miles upstream of its confluence with the South Fork Umpqua River. The South Fork Umpqua River, as part of the Umpqua River, is identified on the U.S. Army Corps of Engineers, Portland District's 1993 list entitled "Navigable Riverways Within the State of Oregon" to RM 122.2.
Ditch B	Intermittent	South Fork Umpqua River	Yes	Ditch B receives intermittent hydrologic inputs from Ditch A and Wetlands A and B, from stormwater on the south side of New Del Rio and from base flows from natural uplands to the west. This water maintains a hydrologic surface connection with an intermittent to perennial channel parallel with Old Del Rio before entering the North Fork Umpqua River approximately six river miles upstream of the South Fork Umpqua River. The South Fork Umpqua River is identified on the U.S. Army Corps of Engineers, Portland District's 1993 list of navigable waters to RM 122.2.
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A

Table 6. (a)(6) Adjacent Waters

(a)(6) Waters Name	(a)(1)-(a)(5) Water Name to which this Water is Adjacent	Rationale for (a)(6) Designation and Additional Discussion. Identify the type of water and how the limits of jurisdiction were established (e.g., wetland, 87 Manual/Regional Supplement); explain how the 100-year floodplain and/or the distance threshold was determined; whether this water extends beyond a threshold; explain if the water is part of a mosaic, etc.
Wetland A	Ditch A	Wetland A is a palustrine emergent wetland which abuts Ditch A. Jurisdiction was determined by assessing proximity to a drainage ditch which functions, and is recognized by the Corps as an intermittent tributary.
Wetland B	Ditch A	Wetland B is a palustrine emergent wetland which abuts Ditch A. Jurisdiction was determined by assessing proximity to a drainage ditch which functions, and is recognized by the Corps as an intermittent tributary. Wetland B appears to extend into abutting private property along the slope gradient. Wetland B is partially drained by an intermittent tributary outside of the review area.
Wetland C	Ditch B	Wetland C is a palustrine emergent wetland which abuts Ditch B. Jurisdiction was determined by assessing proximity to Ditch B, a functional tributary.
N/A	N/A	N/A

Table 7. (a)(7) Waters

SPOE Name	(a)(7) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; discuss whether any similarly situated waters were present and aggregated for SND; discuss data, provide analysis, and summarize how the waters have more than speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 8. (a)(8) Waters

SPOE Name	(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to subject water and aggregated for SND; discuss data, provide analysis, and then summarize how the waters have more than speculative or insubstantial effect the on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Non-Jurisdictional Waters

Default field entry is "N/A". Delete "N/A" and fill out all fields in the table where the applicable for waters/features present in the review area.

Table 9. Non-Waters/No Significant Nexus

SPOE Name	Non-(a)(7)/(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water DOES NOT have a Significant Nexus	Basis for Determination that the Functions DO NOT Contribute Significantly to the Chemical, Physical, or Biological Integrity of the (a)(1)-(a)(3) Water. Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to the subject water; discuss data, provide analysis, and summarize how the waters did not have more than a speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 10. Non-Waters/Excluded Waters and Features

Paragraph (b) Excluded Feature/Water Name	Rationale for Paragraph (b) Excluded Feature/Water and Additional Discussion.
N/A	N/A
N/A	N/A

Table 11. Non-Waters/Other

Other Non-Waters of U.S. Feature/Water Name	Rationale for Non-Waters of U.S. Feature/Water and Additional Discussion.
N/A	N/A

ORM Table Data

Waters Name	State	Cowardin Code	Measure			Waters Type	Latitude	Longitude
			Type	Amount	Units			
NWP-2004-883-3 Water A	OR	R4-RIVERINE, INTERMIT	AREA	0.16	ACRES	A5	43.29496	-123.36515
NWP-2004-883-3 Water B	OR	R4-RIVERINE, INTERMIT	AREA	0.17	ACRES	A5	43.29384	-123.36469

NWP-2004-883-3 Wet A	OR	PEM-PALUSTRINE, EMERGENT	AREA	1.17	ACRES	A6N3HWB	43.29486	-123.36412
NWP-2004-883-3 Wet B	OR	PEM-PALUSTRINE, EMERGENT	AREA	0.04	ACRES	A6N3HWB	43.29571	-123.36228
NWP-2004-883-3 Wet C	OR	PEM-PALUSTRINE, EMERGENT	AREA	0.25	ACRES	A6N1WB	43.29384	-123.36469