



**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): 7/2/2020  
 ORM Number: NWW-2020-00253  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: Idaho City: Meridian County/Parish/Borough: Ada  
 Center Coordinates of Review Area: Latitude 43.5611 Longitude -116.4338

**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.                             |

**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 |
| N/A.                         | N/A.        | N/A.            | N/A.                               |

| 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.                               |

| 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.                               |

<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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**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  |
| Jamison Lateral                                  | 1240 Linear Feet |             | (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). | The Jamison Lateral is a man-made irrigation ditch originally constructed in uplands by the Bureau of Reclamation circa 1900 (Cultural Resource Report). It does not follow topographic drainages and is not present on USGS maps. There is no evidence that it was constructed in or is a relocated tributary.  |
| Unnamed User Ditch                               | 425              | linear feet | (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). | The unnamed user ditch is a man-made irrigation ditch limited in length and extent to the adjacent property. It receives water from the Jamison Lateral, and appears to terminate in the adjacent property. It does not follow topographic drainages and is not present on USGS maps. There is no evidence that it was constructed in or is a relocated tributary. |

**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: [Cultural Resources Documentation, Bionomics, April 2018](#)

This information is sufficient for purposes of this AJD.

Rationale: [Cultural Resource Survey and subsequent documentation, include estimated construction dates, and historical uses of the Irrigation Resources sufficient to support the determination of an excluded water.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: Google Earth Imagery Dates 5/1992, and 7/2018](#)
- 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: [Title\(s\) and/or date\(s\).](#)
- USFWS NWI maps: [USFWS Online Wetland Mapper, Review Date 6/22/2020](#)
- USGS topographic maps: [USGS 1:24K Quad \(Meridian\) and 1897 Topo 1:125,000](#)

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

| Data Source (select)        | Name and/or date and other relevant information  |
|-----------------------------|--|
| USGS Sources                | N/A.   |
| USDA Sources                | N/A.   |
| NOAA Sources                | N/A.   |
| USACE Sources               | N/A.   |
| State/Local/Tribal Sources  | IDEQ – Lower Boise River Watershed Advisory Group KMZ layer of Treasure Valley irrigation features |
| Other information (specify) | N/A.   |

**B. Typical year assessment(s):** No typical year determination is needed since the flows are regulated by the Boise-Kuna Irrigation District via New York Canal to Rawson Canal to Jameson feeder.

**C. Additional comments to support AJD:** The Jamison Lateral and the unnamed user ditch within the project area are man-made irrigation ditches which do not relocate and were not constructed in a natural tributary. The alignment of the features are straight and consistent and parallel roadway infrastructure. The surrounding area is upland agricultural lands and residential developments. Hydrology is limited to irrigation water received from the Rawson Canal.

The Jamison Lateral and the unnamed user ditch are not considered tributaries under (a)(2) since neither ditch did not relocate a tributary, was not constructed in a tributary, or was not constructed in an adjacent wetland when the ditches were originally constructed.