



**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): 10/15/2020
 ORM Number: NWW-2020-00480
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Idaho City: Caldwell County/Parish/Borough: Canyon
 Center Coordinates of Review Area: Latitude 43.717878 W Longitude -116.700175 N

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)²

§ 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): ³			
(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.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² 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.

³ 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)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
15361 Willis Rd wetland	2.47	acre(s)	(b)(7) Artificially irrigated area, including fields flooded for agricultural production, that would revert to upland should application of irrigation water to that area cease.	The wetland within the property flows through a topographic drainage, which historically carried flood-irrigation water from a man-made irrigation ditch to the east, and leaves the site through a culvert passing under I-84. Water then flows into an unnamed supply ditch, which appears to discharge into the Notus Canal. Historical evidence shows active agricultural use to include a historical stock water pond, which has vegetated in, and user ditches to support pasture use. Wetlands within the property appear to be artificially irrigated and are not adjacent to any other WOTUS.

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: [Email request submitted by Mr. Kent Bradshaw \(property owner\), including parcel map and Google Earth imagery map of the property.](#)
This information is sufficient for purposes of this AJD.
Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: Google Earth imagery, dates: 05/1992, 10/2002, 06/2005, 04/2016](#)
- 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: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> – retrieved 10/15/2020; Soil Map Units within the property include Elijah-Vickery silt loams (3-7% slopes) and Power-Lankbush silt loams (7-12% slopes), which are well-draining and non-hydric.
- USFWS NWI maps: <https://www.fws.gov/wetlands/data/mapper.html> – retrieved 10/15/2020; wetlands were not identified within the review area, and only an open water pond (PUBHh) is displayed on the map.
- USGS topographic maps: [1:24K Caldwell, ID](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	NHD ArcGIS web viewer map; several unnamed artificial supply lines border the property to the east and follow the down-gradient topography to the west. The unnamed supply lines receive water from the Hill Canal.
USDA Sources	N/A.

⁴ 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.

⁵ 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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Data Source (select)	Name and/or date and other relevant information
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	IDEQ – Lower Boise River Watershed Advisory Group KML layer of Treasure Valley irrigation features
Other Sources	N/A.

- B. Typical year assessment(s):** No typical year determination is needed since flows are regulated by an irrigation ditch that receives water from an unnamed supply line, which receives water from the Hill Canal.
- C. Additional comments to support AJD:** The unnamed drainage area, which contains the evaluated wetland, receives irrigation water across the property through a constructed ditch that flows down-gradient into a historic stock-water impoundment constructed sometime pre-1992. Discussion with the current new property owner identified that the pond was constructed to capture flood irrigation water and provide a water source for cattle on the property. This pond is no longer actively defined and the entire reach is considered a single wetland complex for the purpose of this jurisdictional determination. Water enters the site from the east from a user supply ditch, which likely receives water from the Hill Canal. Water exits the site and continues to flow down gradient, where it appears to potentially be piped under both directions of I-84 and flows into an unnamed ditch within agricultural lands to the west. Due to the size of the drainage and distance to other WOTUS (roughly 3 miles) it was determined that wetlands within the property are artificially irrigated and would revert to uplands should flood irrigation water cease to be applied.