



**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): 9/11/2020
 ORM Number: NWW-2020-00351
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Idaho City: Boise County/Parish/Borough: Ada
 Center Coordinates of Review Area: Latitude 43.544 Longitude -116.353

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)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
Unnamed Wetland Drainage	1.01	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.	Wetlands within the property flow through a topographic drainage, which carries irrigation water from a man-made irrigation ditch to the south, and leaves the site through a culvert passing under Lake Hazel Road. Water then flows within a concrete ditch approximately 1300 linear feet east along the roadway to discharge into Ten Mile Creek. Historical evidence shows active agricultural use to include historical stock water ponds which have vegetated in, and user ditches to support pasture use. Wetlands within the property appear to 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: [Ecosystem Sciences Aquatic Resource Report, Dated July 15, 2020](#)
This information is sufficient for purposes of this AJD.
Rationale: [N/A](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).
- Photographs: [Aerial: Google Earth Imagery Date \(5/1992, 8/2009, 7/2018\)](#)
- Corps site visit(s) conducted on:
- Previous Jurisdictional Determinations (AJDs or PJDs):
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [USDA Web Soil Survey, \(Included in Resource Report\)](#). The Soils within the assessment area are classified within the Pipeline Series and consist of shallow, well drained soils, on Basalt Plain, and are not considered Hydric Soils
- USFWS NWI maps: [USFWS Online Wetland Mapper, Review Date 9/2/2020](#); Wetlands identified within the assessment area are limited to PUBFx cells that outline historical stock water ponds within the drainage
- USGS topographic maps: [USGS Quad Map 1:24K Cloverdale Idaho.](#)

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.

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	N/A.
Other Sources	N/A.

B. Typical year assessment(s): N/A.

C. Additional comments to support AJD: The property consists of a small topographic drainage (approximately 100 acres), which has historically diverted irrigation water across the drainage to support pasture uses, to include evidence of impoundment for stock watering. These ponds are no longer actively defined and the entire reach is considered a single wetland complex for purposes of this jurisdictional determination. Water enters the site from the south from a user ditch lateral which likely receives water from the Farr Lateral. Water exits the site through man-made irrigation resources for a distance of approximately 1300 linear feet before entering into a known waters of the US. Due to the size of the drainage and distance to other WOTUS it was determined that wetlands within the property area artificially irrigated and would revert to uplands should irrigation water cease to be applied.