



**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): 8/26/2021
 ORM Number: NWW-2006-2300025
 Associated JDs: NWW-2006-2300025 PJD, dated December 18, 2019
 Review Area Location¹: State/Territory: Idaho City: Caldwell County/Parish/Borough: Canyon
 Center Coordinates of Review Area: Latitude 43.662973° Longitude -116.633914°

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
Mason Creek	0.02 acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The section of Mason Creek within the review area is a natural creek which was modified to allow irrigation and agricultural drainage uses, per the Idaho Historical Site Inventory (20/26.56). The USGS topographical map dated 1898 depicts a perennial unnamed creek located to the southwest of Fifteen Mile Creek and between Oregon Shortline Railroad. Mason Creek is the largest tributary drainage area (59.71 square miles, per Stream Stats) located between the railroad and southwest of Fifteen Mile Creek. The unnamed perennial tributary

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.



**U.S. ARMY CORPS OF ENGINEERS
 REGULATORY PROGRAM
 APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
 NAVIGABLE WATERS PROTECTION RULE**

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
				<p>located to the southwest of Fifteen Mile Creek and depicted in the 1898 topo map is determined to be Mason Creek. The USGS topographical map dated 1955, & 2020 and the National Hydrography Dataset also display the reach of Mason Creek within the review area as a perennial stream due to the altered hydrology from the irrigation diversions which direct flow into Mason Creek.</p> <p>The historical review of the section of Mason Creek within the review area circa 1900's which is prior to alterations from irrigation systems affecting the natural hydrology was determined to be an intermittent tributary due to estimated surface water flow occurring more than in direct response to precipitation within the 59.74 square miles drainage basin and the mean annual precipitation is 10 inch per year for the review area, per StreamStats.</p> <p>The combined evidence indicates that the section of Mason Creek within the review area at a minimum would have had flows that were more than in direct response to precipitation and supports a jurisdictional classification as an (a)(2) intermittent tributary at the time of alteration. Mason Creek flows into the Boise River near river mile 22.5 which flows into the Snake River near river mile 395.4. The Snake River is an (a)(1) water.</p>
Noble Drain	0.04	acre(s)	N/A.	<p>The section of Noble Drain within the review area was a natural channel which was modified for irrigation uses, per the Idaho Historical Site Inventory (20/26.48).</p> <p>The historical review of the Noble Drain circa 1900's and prior to alterations from irrigation systems affecting the natural hydrology was determined to be an intermittent tributary. The estimated drainage basin is 3.33 square miles and the mean annual precipitation is 10 inch per year for the review area, per StreamStats.</p> <p>The 7 day 10 year output from StreamStats was used to estimate low flows within the drainage regression analysis. The USGS StreamStats reported an average 7 day flow at the lowest flow of 10 years was estimated for Noble Drain at 0.037 cubic feet per second.</p>



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
				<p>The USGS topographical map dated 1898 does not display Noble Drain as an intermittent tributary. However, the USGS mapping requirements for are not the same as the NWPR definition for intermittent streams.</p> <p>The USGS topographical map dated 1955, & 2020 and the National Hydrography Dataset display the reach of Noble Drain within the review area as a perennial stream due to the altered hydrology from the irrigation diversions which direct flow into Noble Drain.</p> <p>The combined evidence indicates that the section of Noble Drain within the review area had flows with more than in direct response to precipitation and supports a jurisdictional classification as an (a)(2) intermittent tributary at the time of alteration.</p>
Solomon Drain	0.09	acre(s)	N/A.	<p>The section of Solomon Drain within the review area was a natural channel which was modified for irrigation ditches uses, (Idaho Historical Site Inventory (20/26.49).</p> <p>The historical review of the Solomon Drain circa 1900's and prior to alterations from irrigation systems affecting the natural hydrology was determined to be an intermittent tributary due to estimated surface water flow during spring melt of snowpack. The estimated drainage basin is 3.57 square miles and the mean annual precipitation is 10 inch per year for the review area, per StreamStats.</p> <p>The 7 day 10 year output from StreamStats was used to estimate low flows within the drainage regression analysis. The USGS StreamStats reported an average 7 day flow at the lowest flow of 10 years was estimated for the Solomon drain at 0.03 cubic feet per second.</p> <p>The USGS topographical map dated 1898 does not display Solomon Drain as an intermittent tributary. However, the USGS mapping requirements for are not the same as the NWPR definition for intermittent streams.</p> <p>The USGS topographical map dated 1955, & 2020 and the National Hydrography Dataset display the</p>



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
			<p>reach of Solomon Drain within the review area as a perennial stream due to the altered hydrology from the irrigation diversions which direct flow into Solomon Drain.</p> <p>The combined evidence indicates that the Solomon Drain had flows with more than in direct response to precipitation and supports a jurisdictional classification as an (a)(2) intermittent tributary at the time of alteration.</p>

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
Wetland 3	0.35 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 3 physically touches or abuts Solomon Drain which is an (a)(2) water. See the Aquatic Resources Delineation Report, dated December 6, 2019 for the location of the wetland in relation to the to the (a)(2) water. Wetland 3 is a palustrine emergent wetland.
Wetland 5	0.12 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 5 physically touches or abuts the Noble Drain which is an (a)(2) water. See the Aquatic Resources Delineation Report, dated December 6, 2019 for the location of the wetland in relation to the to the (a)(2) water. Wetland 5 is a palustrine emergent wetland.
Wetland 6	0.15 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 6 physically touches or abuts Mason Creek which is an (a)(2) water. See the Aquatic Resources Delineation Report, dated December 6, 2019 for the location of the wetland in relation to the to the (a)(2) water. Wetland 6 is a palustrine forested wetland.
Wetland 7	0.06 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 7 physically touches or abuts Mason Creek which is an (a)(2) water. See the Aquatic Resources Delineation Report, dated December 6, 2019 for the location of the wetland in relation to the to the (a)(2) water. Wetland 7 is a palustrine emergent wetland.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Canyon Hill Lateral	0.01	acre(s)	(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).	There is no evidence that the section of Canyon Hill Lateral within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Canyon Hill Lateral, see section III below.
Unnamed Irrigation Ditch 1	0.07	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 1 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 1, see section III below.
Unnamed Irrigation Ditch 2	0.07	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 2 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 2, see section III below.
A Drain	0.09	acre(s)	(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).	There is no evidence that the section of A Drain within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made feature was constructed in uplands. No evidence was found to determine a channel was present at the time of its construction nor was evidence found that the flows at the time of the ditch's construction were intermittent or perennial per the Idaho Historical Site Inventory (10CN121), aerial imagery, USGS topo maps, USGS Stream Stats, USFWS NWI map, and USDA soil maps.

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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
				Current snowpack data was not sufficient to determine flows within A Drain to be more than in direct response to precipitation. See section III (c) for snowpack review.
Unnamed Irrigation Ditch 3	74	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).	There is no evidence that the section of the Unnamed Irrigation Ditch 3 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 3, see section III below.
Unnamed Irrigation Ditch 4	0.01	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 4 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 4, see section III below.
Unnamed Irrigation Ditch 5	0.07	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 5 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 5, see section III below.
Unnamed Irrigation Ditch 6	0.01	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 6 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 6, see section III below.
Unnamed Irrigation Ditch 7	0.01	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of	There is no evidence that the section of the Unnamed Irrigation Ditch 7 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 7, see section III below.
Unnamed Irrigation Ditch 8	0.01	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 8 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 8, see section III below.
Unnamed Irrigation Ditch 9	0.04	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 9 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 9, see section III below.
Unnamed Irrigation Ditch 10	102	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).	There is no evidence that the section of the Unnamed Irrigation Ditch 10 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 10, see section III below.
Horton Lateral	0.07	acre(s)	(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).	There is no evidence that the section of the Horton Lateral within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Idaho Historical Site Inventory (20/26.50), aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Horton Lateral, see section III below.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Unnamed Irrigation Ditch 11	0.01	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 11 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 11, see section III below.
Unnamed Irrigation Ditch 12	167	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).	There is no evidence that the section of the Unnamed Irrigation Ditch 12 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 12, see section III below.
Bolton Lateral	0.05	acre(s)	(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).	There is no evidence that the section of the Bolton Lateral within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Idaho Historical Site Inventory (20/26.48), aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Bolton Lateral, see section III below.
200 Lateral	0.1	acre(s)	(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).	There is no evidence that the section of the 200 Lateral within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the 200 Lateral, see section III below.
Unnamed Irrigation Ditch 13	0.05	acre(s)	(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	There is no evidence that the section of the Unnamed Irrigation Ditch 13 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps,



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			do not satisfy the conditions of (c)(1).	USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 13, see section III below.
Unnamed Irrigation Ditch 14	0.02	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 14 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 14, see section III below.
Unnamed Irrigation Ditch 15	0.14	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 15 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 15, see section III below.
Unnamed Irrigation Ditch 16	0.03	acre(s)	(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).	There is no evidence that the section of the Unnamed Irrigation Ditch 16 within the review area was constructed in a jurisdictional feature or is a relocated tributary. The man-made linear feature was constructed in uplands and does not follow the topographic drainages present in USGS maps. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction of the Unnamed Irrigation Ditch 16, see section III below.
Storm Pond 1	0.1	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Stormwater storage pond was excavated in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction. Google Earth aerial imagery dated May 31, 1992 displays an agricultural field where the current stormwater storage pond is located.
Storm Pond 2	0.2	acre(s)	(b)(10) Stormwater control feature constructed or	Stormwater storage pond was excavated in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction. Google Earth aerial



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	imagery dated May 31, 1992 displays an agricultural field where the current stormwater storage pond is located.	
Wetland 1	0.05	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 has no physical connectivity, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. Wetland 1 abuts a stormwater storage pond that receives surface water drainage from Aviation Way and surrounding commercial developments. However, the storm water pond 1 does not meet the definition of an (a)(3) water, see exclusion (b)(10) above.
Wetland 2	0.1	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 has no physical connectivity, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. Wetland 2 abuts a ditch that receives irrigation water and/or agricultural drainage. However, the ditch does not meet the definition of a tributary, see exclusion (b)(5) above.
Wetland 4	0.08	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 has no physical connectivity, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. Wetland 4 is located within a stormwater storage pond that receives surface water drainage from S. Kcid Rd. and surrounding residential and agricultural developments. However, the storm water feature where wetland 4 is located does not meet the definition of an (a)(3) water as it was excavated in uplands. Aerial imagery, USGS topo maps, USFWS NWI map, and USDA soil maps support the upland construction. Google Earth aerial imagery dated April 29, 2015 displays an agricultural field where the current stormwater storage pond is located.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

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: [US-20/26, I-84 to Middleton Road, Canyon County, Idaho, Aquatic Resources Delineation Report, dated December 6, 2019](#)

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 and Other: Aerial Imagery: Google Earth \(May 31, 1992, April 29, 2015, July 19, 2018\); Digital Globe \(November 13, 2020, May 8, 2020, July 3, 2019\); Historicaerials.com \(1954, 1971\). Site photographs: Pages 14-21, US-20/26, I-84 to Middleton Road, Canyon County, Idaho, Aquatic Resources Delineation Report, dated December 6, 2019](#)

Corps site visit(s) conducted on: [Date\(s\)](#).

Previous Jurisdictional Determinations (AJDs or PJDs): [PJD issued December 18, 2019](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Appendix F, US-20/26, I-84 to Middleton Road, Canyon County, Idaho, Aquatic Resources Delineation Report, dated December 6, 2019](#)

USFWS NWI maps: [Appendix E, US-20/26, I-84 to Middleton Road, Canyon County, Idaho, Aquatic Resources Delineation Report, dated December 6, 2019](#)

USGS topographic maps: [Nampa Quadrangle topographic map, dated 1898, Scale 1:125K; Middleton Quadrangle topographic map, dated 2020, Scale 1:24K; Middleton Quadrangle topographic map, dated 2010, Scale 1:24K; Caldwell Quadrangle topographic map, dated 2020, Scale 1:24K; Caldwell Quadrangle topographic map, dated 2020, Scale 1:24K; Boise Quadrangle topographic map, dated 1955, Scale 1:250K; Boise Quadrangle topographic map, dated 1958, Scale 1:250K; Boise Quadrangle topographic map, dated 1981, Scale 1:250K;](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Stream Stats (PROSPER tool), review dated May 19, 2021
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	IDeq 2016 305(b) Integrated Report map, review dated May 19, 2021
Other Sources	ITD Archaeological and Historic Survey Report Addendum (US-20/26, I-84 to Middleton Road, Canyon County Addendum – 2020)

B. Typical year assessment(s): A typical year assessment is not applicable for Mason Creek, drains (i.e. Solomon, Noble, A drain), laterals (i.e. Bolton, 200, Canyon Hill, Horton), unnamed irrigation ditches (i.e 1-16) and their associated wetlands (i.e 1-7) because the hydrology and normal conditions at the aquatic resources are regulated by man-made irrigation related systems (i.e. headgates, diversions). See the Aquatic Resources Delineation Report, dated December 6, 2019 for additional information on the separate aquatic resources hydrology sources.

C. Additional comments to support AJD: All determination are limited to the section of the aquatic resource(s) within the review area.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

A Drain Snowpack Evaluation: An average of 16.5 inches of snowfall could contribute to the spring melt in Caldwell, per Western Regional Climate Center review of weather data during a period of record from 10/8/1904 to 12/31/2005. The Western Regional Climate Center review of the average snow depth from 10/8/1904 to 12/31/2005 found January to be the only month which on had an average of 1 inch of snow depth demonstrating the unlikeliness of spring snowpack melt contributing to sustained flows that are more than in direct response to precipitation during a typical year.