



**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): 11/16/2020
 ORM Number: NWS-2020-1019
 Associated JDs: NA
 Review Area Location¹: State/Territory: WA City: Vancouver County/Parish/Borough: Clark
 Center Coordinates of Review Area: Latitude 45.684014 Longitude -122.623967

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.



**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
NWS-2020-1019 Wetland A	0.007 acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	Wetland D meets the definition of a wetland does not abut an (a)(1) through (a)(3) water; is not inundated by flooding from an (a)(1) through (a)(3) water in a typical year; is not physically separated from a paragraph (a)(1) through (3) water by a natural berm, bank, dune, or similar natural feature or by an artificial dike, barrier, or similar artificial structure that allows for a direct hydrologic surface connection between the wetlands and the paragraph (a)(1) through (a)3) water in a typical year. See Section III.C for additional details
NWS-2020-1019 Wetland B	0.003 acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	Wetland D meets the definition of a wetland does not abut an (a)(1) through (a)(3) water; is not inundated by flooding from an (a)(1) through (a)(3) water in a typical year; is not physically separated from a paragraph (a)(1) through (3) water by a natural berm, bank, dune, or similar natural feature or by an artificial dike, barrier, or similar artificial structure that allows for a direct hydrologic surface connection between the wetlands and the paragraph (a)(1) through (a)3) water in a typical year. See Section III.C for additional details

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: [8515 NE St. Johns Road Property, Wetland Delineation & Assessment, dated 27 January 2020](#)

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 and Other: Aerials from Google Earth and Clark County website \(mapsonline\),](#)

Corps site visit(s) conducted on: [3 November 2020](#)

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>

USFWS NWI maps: <https://www.fws.gov/wetlands/Data/Mapper.html>

USGS topographic maps: [Title\(s\) and/or date\(s\).](#)

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**

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	N/A.
Other Sources	NRCS Soil Survey of Clark County Washington (McGee, 1972) and Clark County website (mapsonline) searched 9 November 2020

B. Typical year assessment(s): Typical year assessment is not applicable due to the exclusion criteria of the wetland and ditch.

C. Additional comments to support AJD: On 3 November 2020, I (Jim Carsner, Project Manager for the United States Army Corps of Engineers, Seattle District, Regulatory Branch) met with Ryan Thiele, agent (Olson Environmental, LLC) on site at 1100 at walked the approximately 2-acre subject property.

Site Description: The subject property (property) is located at 8515 Northeast St. Johns Road, Vancouver, Clark County, Washington (Figure 1 of 4). The property consists of one tax parcel; North Parcel (Tax Parcel number 1105968000). The roughly 2-acre site is bounded on the north, east, and south by residential properties and the west by Northeast St. Johns Road (Figure 2). There is a residential dwelling on the western portion of the property with the remainder as undeveloped, dominated by various grasses and woody vine species (reed canary grass and Himalayan blackberry). Two palustrine emergent wetlands, Wetlands A and B, were delineated in the lowest portion of an elongated depression near the center portion of the property (Figure 2 of 4).

Topography provided in “8515 NE St. Johns Road Property, Wetland Delineation & Assessment” report, dated 27 January 2020 and a map obtained from the Clark County website (maps online) show the land slopes down from the surrounding properties, forming an elongated bowl on the subject property where the elevation is at approximately 260 feet near the wetland boundaries then rises to 274 feet near NE St. Johns Road and over 276 feet on the eastern portion of the property (Figures 2 and 3 of 4). Two palustrine emergent wetlands, Wetlands A and B, were delineated in the lowest portion of the bowl and near the center portion of the property (Figure 4 of 4). There is a topographic rise between the two wetlands and soils in this area were non-hydric.

WETLANDS

Wetland A: Wetland A is located near the north center of the review area. Hydrology for Wetland A is provided by surface sheet flow from adjacent uplands, a seasonally high groundwater table, and direct precipitation. Wetland A has no observed hydrologic inlet or outlet; therefore, Wetland A does not contribute to or receive surface water from an (a)(1) to (a)(3) water and is not jurisdictional under 33 CFR 328.3(a)(2).

Wetlands B: Wetland B is located near the north center of the review area. Hydrology for Wetland B is



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

provided by surface sheet flow from adjacent uplands, a seasonally high groundwater table, and direct precipitation. Wetland B has no observed hydrologic inlet or outlet; therefore, Wetland B does not contribute to or receive surface water from an (a)(1) to (a)(3) water and is not jurisdictional under 33 CFR 328.3(a)(2).