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): 4/21/2021
ORM Number: NWS-2021-171
Associated JDs: N/A
Review Area Location[1]: State/Territory: WA City: Connell and Hatton County/Parish/Borough: Franklin and Adams
Center Coordinates of Review Area: Latitude 46.7024 Longitude -118.8795

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.	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.	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.	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.	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.	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.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Providence Coulee (6.5 mile reach associated with Field Assessment Form 1 as shown on Figure 2)	34, 320	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream Duration Assessment Method (SDAM) indicators as described in 5 February 2021 AJD request and analysis memo. In addition, field visit observations include hydrophobic/ upland vegetation within the channel and lack of SDAM indicators in this 6.5 mile reach of the Coulee system as indicated on the project drawings, site visit and report photos.
Esquatzel Coulee (2.25 mile reach associated with Field Assessment Form 5 as shown on Figure 2)	11,880	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream Duration Assessment Method (SDAM) indicators as described in 5 February 2021 AJD request and analysis memo. In addition, field visit observations include hydrophobic/ upland vegetation within the channel and lack of SDAM indicators in this 2.25 mile reach of the Coulee system as indicated on the project drawings, site visit and report photos. This ephemeral reach infiltrates before reaching the nearest water of the U.S. (the Columbia River).
Esquatzel / Providence Coulees (6.9 mile stretch associated with Field Assessment Forms 4 and 2 as shown on Figure 2)	36,960	linear feet	(b)(1) Surface water channel that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream Duration Assessment Method (SDAM) indicators as described in 5 February 2021 AJD request and analysis memo show that this reach has perennial flow. In addition, field visit observations include flowing water and hydrophytic vegetation in this 6.9 mile reach of the Coulee system as indicated on the project drawings, site visit and report photos. This perennial surface water channel flows into the ephemeral reach noted on Form 5. This ephemeral reach infiltrates before reaching the nearest water of the U.S. (the Columbia River).
Unnamed Tributary to Providence Coulee (4 mile reach associated with Field	21,120	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream Duration Assessment Method (SDAM) indicators as described in 5 February 2021 AJD request and analysis memo. In addition, field visit observations include hydrophobic/ upland vegetation within the channel and lack of SDAM indicators in this 4 mile reach of the Coulee

[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.

Assessment Form 3 on Figure 2)

system as indicated on the project drawings, site visit and report photos.

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: 1) Approved Jurisdictional Determination (AJD) request with Stream Duration Assessment Methodology (SDAM) (Appendix A) and other supporting documentation in memo dated 5 February 2021.

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: Site photos provided in Appendix B of AJD Request dated 5 February 2021. Photos from 30 March 2021 site visit provided in administrative file with accompanying photo log. Historic aerials queried and reviewed on Google Earth from 1996 to 2020.

☒ Corps site visit(s) conducted on: 30 March 2021

☐ 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: NWI map queried and map developed by Corps on 5 April 2021.

☒ USGS topographic maps: Connell (1970), Hatton (1970) and Frischknecht (1970) 7.5 minute quadrangles.

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS gauge data as described in Section III. C below.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The USACE Antecedent Precipitation Tool (APT) was used to determine if the streamflow duration assessment was performed when the area's precipitation was within the normal periodic range based on a rolling 30-year period. The APT report is included in Attachment D of the AJD request memo dated 5 February 2021. The APT concluded the assessment was conducted under "Normal Conditions" with a score of 12. For reference, the condition would be considered "Drier than Normal" with a score less than 10 and "Wetter than Normal" with a score greater than 14.

C. Additional comments to support AJD: The Providence and Esquatzel Coulee drainage mostly functions as an irrigation wasteway as part of the Columbia Basin Irrigation Project where excess irrigation water is routed to the coulee and siphoned to other distribution points or discharged. One of the receiving points is at the "irrigated ditch" shown on Form 4 and Figure 2. This ditch is actually a historic drainage or

coulee that receives water from the East Low Canal approximately 5 miles to the northwest. Water is routed through a canal network to the historic drainage that supplies this AJD request segment. The natural, historic drainage begins approximately 1.3 miles upstream of this segment as shown on Figure 2.

At the Esquatzel Diversion Canal siphon, excess water is diverted down the historic coulee drainage where it infiltrates into the ground near the Pasco airport. Therefore, there is no direct, natural stream drainage connection to the Columbia River.

Stream flow data was reviewed from a U.S. Geological Survey (USGS) gauge that operated in Providence Coulee near Cunningham, Washington (about 3 miles north/upstream of the study area) from October 1977 through September 1998. The gauge data indicated that rare, intermittent flows occurred primarily in January and February in any given year, likely in response to snow melt and/or seasonal rains. Even during these “wetter” months, no flows were recorded in January or February during 10 years of the 21-year life of the gauge. Flows were recorded in March only in 2 monitoring years, and no substantial flows were recorded during the life of the gauge during April through December. The historical gauge data support the determination that Providence Coulee is an ephemeral stream. A table of the USGS stream gauge data is included in Attachment E of the AJD request memo dated 5 February 2021.