

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): August 16, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: POA-2005-01967

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State:AK County/parish/borough: Kenai Peninsula City: Homer
Center coordinates of site (lat/long in degree decimal format): Lat. 59.6553 °, Long. -151.4980 °
Universal Transverse Mercator: UTM Zone 5

Name of nearest waterbody: Beluga Lake

Name of watershed or Hydrologic Unit Code (HUC): 190203010806 Swift Creek-Frontal Kachemak Bay

- Check if map/diagram of review area is available upon request.
 Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- Office (Desk) Determination. Date:
 Field Determination. Date(s): August 13, 2019

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are **no** “*navigable waters of the U.S.*” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are **no** “*waters of the U.S.*” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Office concurs with data sheets/delineation report.
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps:
 U.S. Geological Survey Hydrologic Atlas:
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name:
 USDA Natural Resources Conservation Service Soil Survey. Citation: Western Kenai Peninsula Soil Survey, 2018, USDA Web Soil Survey
 National wetlands inventory map(s). Cite name: NWI data desktop/mobile viewer; data last modified May 5, 2019.
 State/Local wetland inventory map(s): Wetland Mapping and Classification of the Kenai Lowland, Alaska. 21 March 2008. Gracz, Mike, Noyes, K., North, P., and Tande, G.; cookinletwetlands.info
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Google Earth, May 25, 2006
 or Other (Name & Date): Site visit photos, Aug 13, 2019
 Previous determination(s). File no. and date of response letter: POA-2005-01976, Jan 11, 2006
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify): KPB online terrain viewer; Aug 15, 2019 site visit MFR.

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The lowest portion of the property, i.e. the place where water would most likely be, did not contain all three parameters of a wetland. A well-established ditch drains hydrology from the subject parcel.