

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**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): January 10, 2019**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: POA-2018-00279**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Alaska County/parish/borough: Nome City: Nome  
Center coordinates of site (lat/long in degree decimal format): Lat. 64.5330°, Long. -165.3520°  
Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: Dry Creek

Name of watershed or Hydrologic Unit Code (HUC): 190501041703, Lower Snake River

- 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: January 10, 2019  
 Field Determination. Date(s): [Click here to enter a date.](#)

**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: Application for Placer Mining in Alaska (APMA 5281)  
 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: [Click here to enter text.](#)  
 U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.  
 U.S. Geological Survey map(s). Cite scale & quad name: [Click here to enter text.](#)  
 USDA Natural Resources Conservation Service Soil Survey. Citation: [Click here to enter text.](#)  
 National wetlands inventory map(s). Cite name: Nome C-1  
 State/Local wetland inventory map(s): [Click here to enter text.](#)  
 FEMA/FIRM maps: [Click here to enter text.](#)  
 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Bing aerial photo, date unknown  
 or  Other (Name & Date): [Click here to enter text.](#)  
 Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)  
 Applicable/supporting case law: [Click here to enter text.](#)  
 Applicable/supporting scientific literature: [Click here to enter text.](#)  
 Other information (please specify):

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:**

<sup>1</sup> 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.

The APMA states: "This site was previously prepared for dredging by the Alaska Gold Company by removing the moss and organic overburden from the surface and installing a thawfield (thaw pipes are still in place). Since the thawfield was abandoned (1980's), the site now has a thick growth of willow on a dry gravel surface."

The Bing aerial photo shows that the mine area shows photosignatures of deciduous shrubs, such as alder (*Alnus sp.*, FAC) and willow (*Salix spp.*, FAC/ FACW), typical of previously mined and disturbed areas, and consistent with information reported on the APMA. The vegetation in the thawfield as a whole is not hydrophytic. Areas surrounding the thawfield are identified as palustrine emergent, hydrophytic vegetation on the National Wetland Inventory (NWI) map Nome C-1. The photosignatures show a low-growing, vegetation community consistent with palustrine emergent vegetation.

The mine site is located at the base of Newton and Anvil Peak. Soils in the area of the mine site area were reported in the APMA to have been mechanically cleared and thawed prior to the 1980's. The APMA reports a non-hydric gravel substrate which is consistent with the photosignature on the aerial photo. Soils in areas surrounding the mine site are either covered by tundra vegetation, or, sparsely vegetated, and show prior disturbance; the NWI indicates that these areas support hydric soil.

The APMA reports that soil at the mine site is dry, and does not show wetland hydrology. The APMA indicates that Areas surrounding the mine site show ponding, revealing wetland hydrology. Field experience in the area confirms widespread presence of permafrost driven soils, with saturation to the surface and permafrost typically 6" below the surface.

The footprint of the proposed mine site will be located in an area that has non-hydrophytic vegetation, non-hydric soils, and does not have wetland hydrology. It is therefore and upland; no permit will be required from the Corps of Engineers to develop the project as proposed.

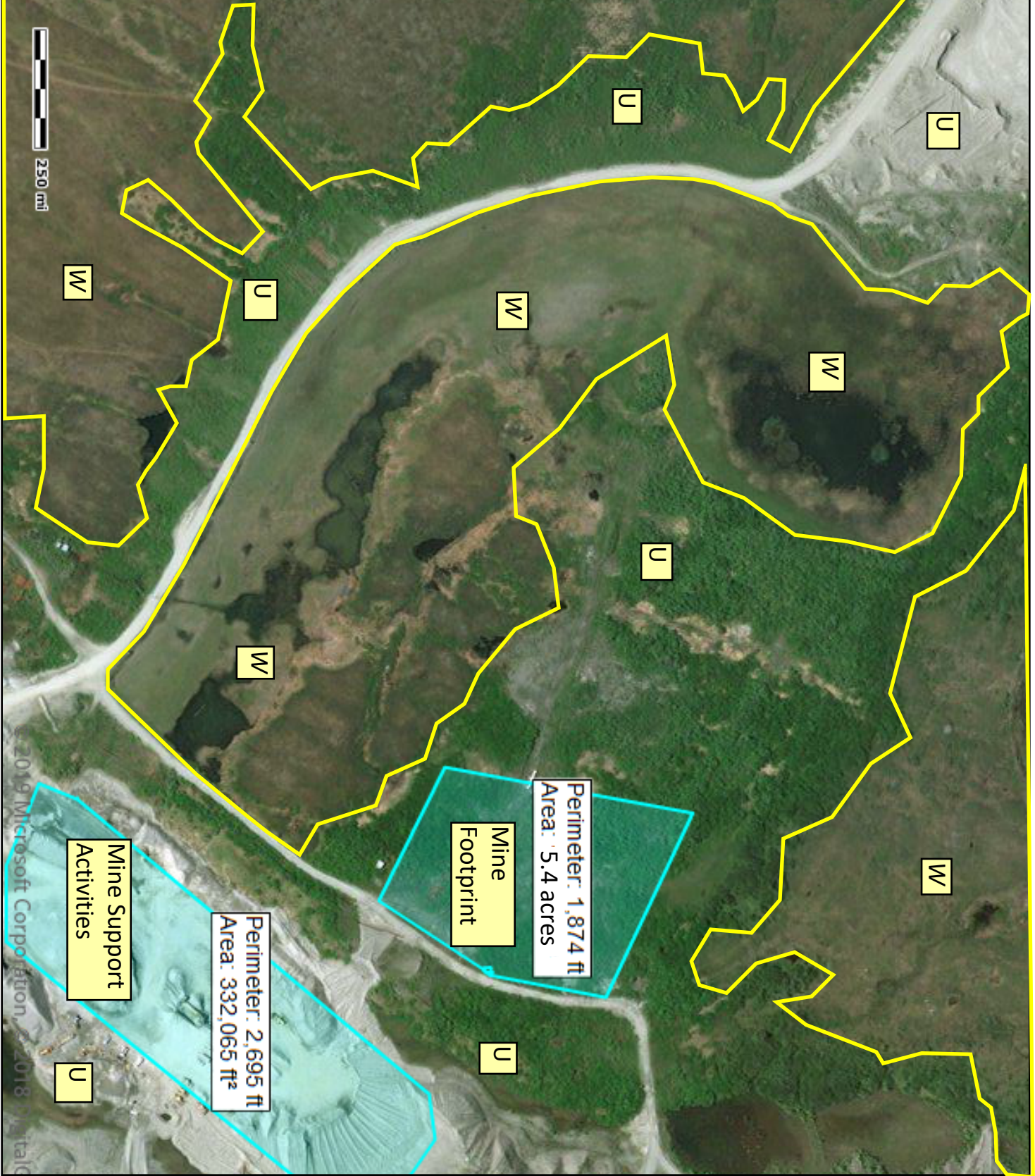


Leslie Tose  
Project Manager  
NORTH Section

1/11/2019

Date

**POA-2018-279, APMA 5821, Dry Creek**  
US ARMY CORPS OF ENGINEERS

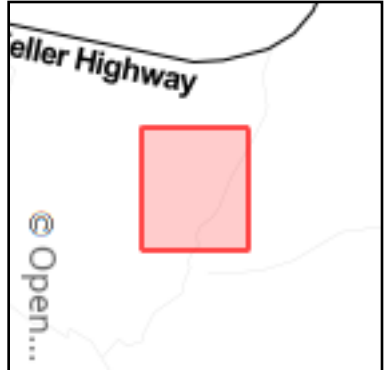


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**LEGEND**



Applicant:  
Mr. Robert Salna,  
Aurquest,  
3rd Beach Project  
Location:  
Sec 18, T 11 S, R 33W  
Lat 65.533,  
Long -165.3520  
P 1 of 1 01/10/2019  
WETLANDS MAP



US Army Corps of Engineers  
This map was produced using the  
SimSuite web application on:  
10 Jan 2019 @ 1400