



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): 01-OCT-2020
ORM Number: POA-2008-01421
Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)
Review Area Location¹:
State/Territory: AK City: County/Parish/Borough: Fairbanks North Star Borough
Center Coordinates of Review Area: Latitude 64.804 Longitude -147.749

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 and 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 independent 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.

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.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
PSS1B	6.19 acres	(b)(1) Non-adjacent wetland	

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: *N/A*
- Data sheets prepared by the Corps: *POA-2008-01421 Jurisdictional Determination AJD form (findings of wetland adjacent to TNW) October 20, 2008.*
- Photographs: Quickbird Aerial Imagery (FNSB 2002-2003), ESRI Basemap imagery (accsd online 2020),
- ___ Corps Site visit(s) conducted on: *Date(s). N/A, no current site visit.*
- Previous Jurisdictional Determinations (AJDs or PJDs): *POA-2008-01421 (Related determinations not in the project area are POA-2002-00620 & POA-2002-00208).*
- ___ Antecedent Precipitation Tool: *N/A.*
- USDA NRCS Soil Survey: Greater Fairbanks Area (NRCS 2004, online updates 2009)
- USFWS NWI maps: Tanana Flats_HU8_19080307 (NWI 2014, accsd online 2018)
- USGS topographic maps: Fairbanks D-2, 1:63,360 (USGS 1952, minor revisions 1981)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	National Hydrographic Dataset Flowline and Waterbody layers (USGS, accsd online 2018),
USDA Sources	
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	Hillshade_2010_LiDAR_DEM.img (FNSB 2010), Property Tax Parcel GIS layer (FNSB 2018)
Other Sources	FEMA FIRM Map (Zone AE on Parcel, Zone B on levee)

B. Typical year assessment(s): *N/A, this has no surface water.*

C. Additional comments to support AJD: *This wetland was re-evaluated under the NWPR. It is non-abutting (Rapanos designation) and non-adjacent (NWPR designation) to any surface water. It does*

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not connect with or join to any other wetland or water in the vicinity, of which there are several in the form of man-made gravel mine lakes and relic lowland wetlands and sloughs. In 2008 it was designated jurisdictional based on adjacency (Rapanos designation) to the Tanana River, a Traditional Navigable Water (TNW), which is approximately 2,250 feet from the wetland site. Between the wetland and the Tanana River is a man-made Levee situated on the wetland's south side. There are no breaches in the levee which would provide hydrologic connection between the wetland and the Tanana River. Before the levee was constructed, the wetland was a part of the Tanana floodplain and was interconnected with a mosaic of slough channels, wetlands and oxbow lakes. At present, the wetland receives water via shallow (≤ 1 meter) groundwater and surface runoff from precipitation. Presently, the wetlands on this property do not have a surface hydrologic connection to a traditional navigable water (TNW), and are therefore not considered a water of the U.S.

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