



**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): 10/23/2020  
 ORM Number: POA-2020-00163  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: Alaska City: Anchorage County/Parish/Borough: Anchorage  
 Center Coordinates of Review Area: Latitude 61.051658° N Longitude 149.759979° W

**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
- 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)<sup>2</sup>**

| § 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): <sup>3</sup> |             |                 |                                    |
|---|-------------|-----------------|------------------------------------|
| (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   |
| Unnamed Tributary (UNT) 1    | 22          | linear feet     | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.   |
|                              |             |                 | UNT 1 has perennial flow and a direct surface water connection downstream to Potter Creek (an (a)(2) water), which flows into Turnagain Arm (an (a)(1) water). Turnagain Arm is a Traditional Navigable Water. |

<sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> 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.

<sup>3</sup> 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.



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| 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  |
| Wetland 1                          | 0.033       | acre(s) | (a)(4) Wetland abuts an (a)(1)-(a)(3) water. | Wetland 1 directly abuts UNT 1. UNT 1 has a direct surface water connection downstream to Potter Creek (an (a)(2) water), which flows into Turnagain Arm (an (a)(1) water). Turnagain Arm is a Traditional Navigable Water. |

**D. Excluded Waters or Features**

| Excluded waters ((b)(1) – (b)(12)): <sup>4</sup> |                |      |                        |                                       |
|--|----------------|------|------------------------|---------------------------------------|
| Exclusion Name                                   | Exclusion Size |      | Exclusion <sup>5</sup> | Rationale for Exclusion Determination |
| N/A.   | N/A.           | N/A. | N/A.                   | N/A.                                  |

**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: [Wetland Boundary Based on Handheld GPS Survey of Field Flagging- August 30, 2020](#)

This information is sufficient for purposes of this AJD.

Rationale: [The map provided by the applicant was created using the flag locations placed in the field by the Corps during the July 21, 2020 field visit.](#)

- Data sheets prepared by the Corps: [Wetland data sheets from Corps July 21, 2020 site visit.](#)
- Photographs: [Other: Site photographs taken by the Corps on July 21, 2020.](#)
- Corps site visit(s) conducted on: [July 21, 2020](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [POA-2012-00277 \(June 25, 2012\)](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Anchorage Area, Alaska: 410 \(Deception-Estelle-Kichatna complex, 0 to 7 percent slopes\), 426 \(Jacobsen-Disappear-Doroshin complex, 3 to 7 percent slopes\) and 427 \(Jacobsen-Disappear-Doroshin complex, 7 to 12 percent slopes\).](#)
- USFWS NWI maps: [NWI Online Mapper accessed July 20, 2020.](#)
- USGS topographic maps: [USGS Quad Map Anchorage A-8 SE](#)

**Other data sources used to aid in this determination:**

| Data Source (select)         | Name and/or date and other relevant information |
|------------------------------|---|
| <a href="#">USGS Sources</a> | N/A.  |
| <a href="#">USDA Sources</a> | N/A.  |
| <a href="#">NOAA Sources</a> | N/A.  |

<sup>4</sup> 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.

<sup>5</sup> 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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| Data Source (select)       | Name and/or date and other relevant information          |
|----------------------------|--|
| USACE Sources              | N/A.   |
| State/Local/Tribal Sources | Municipality of Anchorage Wetland Mapper accessed 9/2020 |
| Other Sources              | N/A.   |

**B. Typical year assessment(s):** N/A A typical year assessment is not required for the site because it does not meet any of the parameters that require a typical year assessment (i.e. 1) tributary flow regime, 2) inundation by flooding in a typical year, 3) contribution of flow to a downstream (a)(1) – (a)(3) water in a typical year, or 4) direct hydrologic surface connection through or over an artificial structure in a typical year).

**C. Additional comments to support AJD:** MFR dated 23 October 2020.