



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): 28-SEP-2020

ORM Number: POA-2020-00436

Associated JDs: N/A or ORM numbers and identifiers (e.g. POA-2003-00654, POA-2005-01889, POA-2002-00236, POA-2005-00767 are all prior authorized fills in the project wetland and slough)

Review Area Location¹: State Tax Parcel ID PAN 0562891; Lots 12 and 13, Block 11, 5th Addition Metro Air Park Industrial Subdivision; 1770 Donald Avenue, 99701

State/Territory: AK City: Fairbanks County/Parish/Borough: Fairbanks North Star Borough
Center Coordinates of Review Area: Latitude 64.809571 Longitude -147.751134

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):

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 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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(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	N/A	N/A

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Discontinuous Slough	N/A	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	This is a portion of a relic slough of the Tanana River that has been cut off from perineal flow on both sides by the placement of fill for property development and industrial purposes (see map). It no longer has surface connection to the Tanana River.
Dwarf Forested Wetland	N/A	(b)(1) Non-adjacent wetland	This wetland was once adjacent to the Tanana River via the adjacent slough which provided unbroken surface flow.

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: *Pre-application meeting with Richard Tilly (September 9, 2020) where he detailed the current hydrology pattern in the project area after improvements to Donald Avenue and Bonita Street in 2019.*
This information is not sufficient for purposes of this AJD.
Rationale: *Additional LiDAR information was sought to confirm historic and modern filled areas in the slough adjacent to the project site.*
- Data sheets prepared by the Corps: *N/A. No on-site investigation was necessary.*
- Photographs: Aerial: *QB_west_west.sid & QB_east_east.sid (FNSB, 1980's), DOQ_2007_west4.sid (FNSB 2007), Pictometry_2012_9in_College.sid (FNSB 2012), ESRI Basemap (accsd online 2020)*
- Corps Site visit(s) conducted on: *N/A*
- Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*
- Antecedent Precipitation Tool: *N/A*
- USDA NRCS Soil Survey: *Soil Survey of the Greater Fairbanks Area (2020)*
- USFWS NWI maps: *National Wetlands Inventory (Tanana Flats_HU8_19080307, accsd online, 2019, last update 2014)*
- USGS topographic maps: *National Hydrographic Dataset (accsd online, 2018). USGS Topographical Map, Quad Fairbanks D-2, 1:63,360.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Tanana Flats_HU8_19080307 watershed map (accsd online 2018). National Hydrography Dataset (accsd online 2018).

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USDA Sources	Soil Survey of the Greater Fairbanks Area (Version 16, June 1 2020)
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	Fairbanks North Star Borough, Surface Water Map (2010) and STORMSWR_CULVERT_POINT GIS database layer (date unknown, accsd 2018), Alaska State DNR Forest Cover (2011)
Other Sources	FEMA FIRM Maps, number 02090C4367J , effective on 03/17/2014

- B. Typical year assessment(s):** N/A. This waterbody is not currently a pass-through riverine wetland. It has been modified in many places along its linear route by fill and grading, the closest locations of which are within 1,000 feet to the east and west of the subject parcels.
- C. Additional comments to support AJD:** This slough once flowed westward into the Tanana River near the present-day airport. Aerial imagery shows that over the last decade or more, it has been filled in on both sides of the project area and there is no surface connection from the inlet or the outlet to the Tanana River.

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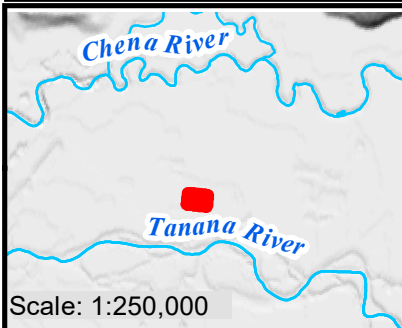
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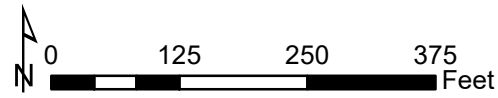
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



USACE Regulatory, Alaska District
 Fairbanks Field Office (907) 458-1602
 Contact: amy.c.tippery@usace.army.mil
 Citation: USFWS (NWI: 2014)
 Imagery: ESRI Basemap, accsd online 2020
 Scale: 1:2.250 Date:9/30/2020



- Legend**
- Assessment Area
 - Modern fill blocking the Slough
 - Palustrine scrub shrub wetland
 - Relic slough, Riverine wetland



**POA-2020-00436,
Tacke Industrial
Development
Fairbanks North Star
Borough Tax Parcel Lines/
Roads & National Wetland
Inventory (NWI)**