



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): 03-MAY-2021

ORM Number: POA-2021-00229

Associated JDs: N/A

Review Area Location¹: approximately two miles downstream of the Parks Hwy Bridge

State/Territory: AK City: Fairbanks County/Parish/Borough: Fairbanks North Star Borough

Center Coordinates of Review Area: Latitude 64.831392 Longitude -147.88164

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). There
- 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
Chena River	40 feet	RHA Non-tidal water is on the district's Section 10 waters list	This describes the area under ordinary high water below the high bank.

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 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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
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: *Site plans with elevations relative to ordinary High Water Mark denoted.*

This information *is not* sufficient for purposes of this AJD.

Rationale: *This was augmented by aerial imagery to show vegetation signatures and typical flow patterns in the river.*

___ Data sheets prepared by the Corps: *none.*

___ Photographs: *Pictometry_2012_9in_College.sid (FNSB 2012)*

___ Corps Site visit(s) conducted on: *N/A.*

___ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

___ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

x USDA NRCS Soil Survey: *Soil Survey of the Greater Fairbanks Area, Version 5, Oct 22, 2019)*

x USFWS NWI maps: *Chena Rv. Wetlands_19080306 (USFWS, 2014, accsd online 2019).*

x USGS topographic maps: *Fairbanks D-2 (1954, revised 1972& 1973).*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): N/A or provide typical year assessment for each relevant data source used to support the conclusions in the AJD.

C. Additional comments to support AJD: The Chena River has established bed and banks in this location which have been immobilized due to upstream flood control projects, private property structures, and DOT structures. The river has a multi-decadal history of static mean ordinary high water level in this lower stretch, which is well documented and mapped.

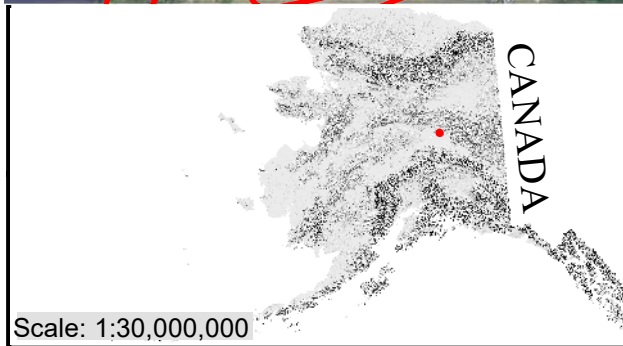
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 Citation: NWI (Salcha River Wetlands
 _19080305)
 Tolovana River NWI_19080309
 Imagery: ESRI Basemap
 Scale: 1:9,500 Date:5/5/2021

0 100 200 300 Feet



**POA-2021-00229, Genevieve Bell
 Chena River Streambank Revege-
 taion and Stabilization (Lot A; FNSB
 Property Database), National Wetland
 Inventory (NWI) and Interior Anadromous
 Waters Catalog (ADFG)**