

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE APPROVED JURISDICTIONAL DETERMINATION (JD): September 3, 2021

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Alaska District, POA-2021-00441

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Alaska Borough: Nome Census Area City: Teller
Center coordinates of site (lat/long in degree decimal format): Lat. 65.26395° N., Long. 166.36328° W.
Name of nearest waterbody: Grantley Harbor (TNW)
Name of watershed or Hydrologic Unit Code (HUC): Grantley Harbor-Frontal Port Clarence (1905010516)

- Check if map/diagram of review area and/or potential jurisdictional areas is/are 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: September 3, 2021
 Field Determination. Date(s): N/A

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. This rest of section intentionally not filled out because it is not applicable.

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. This rest of section intentionally not filled out because it is not applicable.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

This section intentionally not filled out because it is not applicable.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section intentionally not filled out because it is not applicable.

C. SIGNIFICANT NEXUS DETERMINATION

This section intentionally not filled out because it is not applicable.

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

This section intentionally not filled out because it is not applicable.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹

This section intentionally not filled out because it is not applicable.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

This section intentionally not filled out because it is not applicable.


¹ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Jurisdiction Following Rapanos.

SECTION IV: 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: A JD Request with location maps and a NWI map were submitted by the requestor and are part of the administrative record. Although this information shows there is no NWI wetlands/waters in the project area, the large scale of the NWI requires additional supporting evidence/documentation to confirm that wetlands/waters are not present.
- 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:
- Corps navigable waters' study:
- U.S. Geological Survey Hydrologic Atlas: Grantley Harbor-Frontal Port Clarence (HUC 10: 1905010516)
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps (reviewed, but not part of Admin Record or used in jurisdictional determination).
- Alaska District's Approved List of Navigable Waters
- U.S. Geological Survey map(s). Cite scale & quad name: Teller B-3, SW (2014 - 1:25,000)
- USDA Natural Resources Conservation Service Soil Survey. Citation: STATSGO: E41 – Seward Peninsula Highlands-Arctic Upland-Loess Plains
- National wetlands inventory map(s). Cite name: accessed online mapper on September 3, 2021
- State/Local wetland inventory map(s): no coverage at this location
- FEMA/FIRM maps: no coverage at this location
- 100-year Floodplain Elevation is: AK Dept of Commerce map (1980) – variable 4-8' (USACE flood analysis)
- Photographs:
 - Aerial (Name & Date): Digital Globe - May 2021, Sep 2017; Google Earth – Jun 2019, Aug 2011, Jun 2007
 - Other (Name & Date): Shorezone Alaska
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: The project review area includes several lots along Front Avenue near the north end of Teller. These lots (and the majority of Teller) are located on a sand/gravel spit between Port Clarence and Grantley Harbor. The spit supports sparse vegetation (*Leymus mollis* is dominant), and the soils are comprised of coarse sand with little to no organic layer. NWI and NLCD data map most of the spit as upland, with wetlands only approaching the southwest edge of Teller (near the base of a slope). All the lots are currently developed (i.e., supporting buildings) or have been developed in the recent past, but buildings have been torn down. Additionally, the lots are surrounded by other roads and community infrastructure on three sides, and a road (Front Avenue) and sand/gravel beach on the fourth side. The project review area does not contain appropriate vegetation, soils, or hydrology for wetlands, and there are no open waters or other features that are jurisdictional.



Jason Brewer
Regulatory Specialist
North Section

September 3, 2021
Date

POA-2021-00441 AJD Map

No wetlands or waters present in review area.

FOR PLANNING PURPOSES ONLY.



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PEM1/SS1B
Google Earth

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1000 ft