

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): May 23, 2022**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: POA-2011-00073**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Alaska County/parish/borough: Fairbanks North Star Borough City: Chatanika  
Latitude 65.069790°N., Longitude -147.175746°W.  
Universal Transverse Mercator: USGS Quad map Livengood A-1.  
Name of nearest waterbody: Fairbanks Creek  
Name of watershed or Hydrologic Unit Code (HUC): 190803060703

- Check if map/diagram of review area is 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: May 23, 2022  
 Field Determination. Date(s):

**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.

**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.

**SECTION III: 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:  
 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:  
 U.S. Geological Survey Hydrologic Atlas:  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.  
 U.S. Geological Survey map(s). Cite scale & quad name:  
 USDA Natural Resources Conservation Service Soil Survey. Citation:  
 National wetlands inventory map(s). Cite name: www.FWS.gov, Accessed 20220523  
 State/Local wetland inventory map(s):  
 FEMA/FIRM maps:  
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Google Earth Pro 20220523  
 or  Other (Name & Date):  
 Previous determination(s). File no. and date of response letter: POA-2011-00073, 20210105  
 Applicable/supporting case law:  
 Applicable/supporting scientific literature:  
 Other information (please specify): Previously mined tailings are considered uplands and are non jurisdictional.

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** No permit required because it will not occur in waters of the U.S. The applicant will be mining historically mined tailing piles, considered uplands. The general vicinity was also approved under the previous NPR completed 20210105.

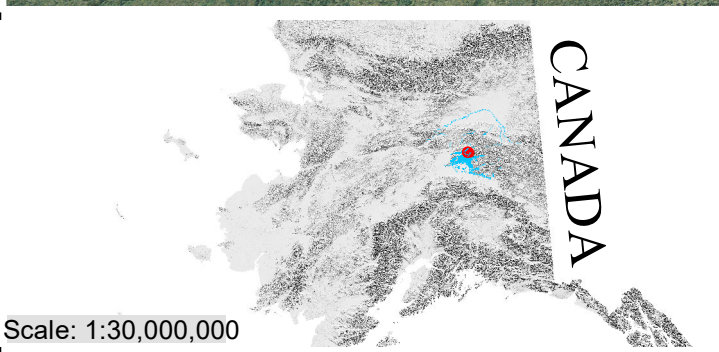
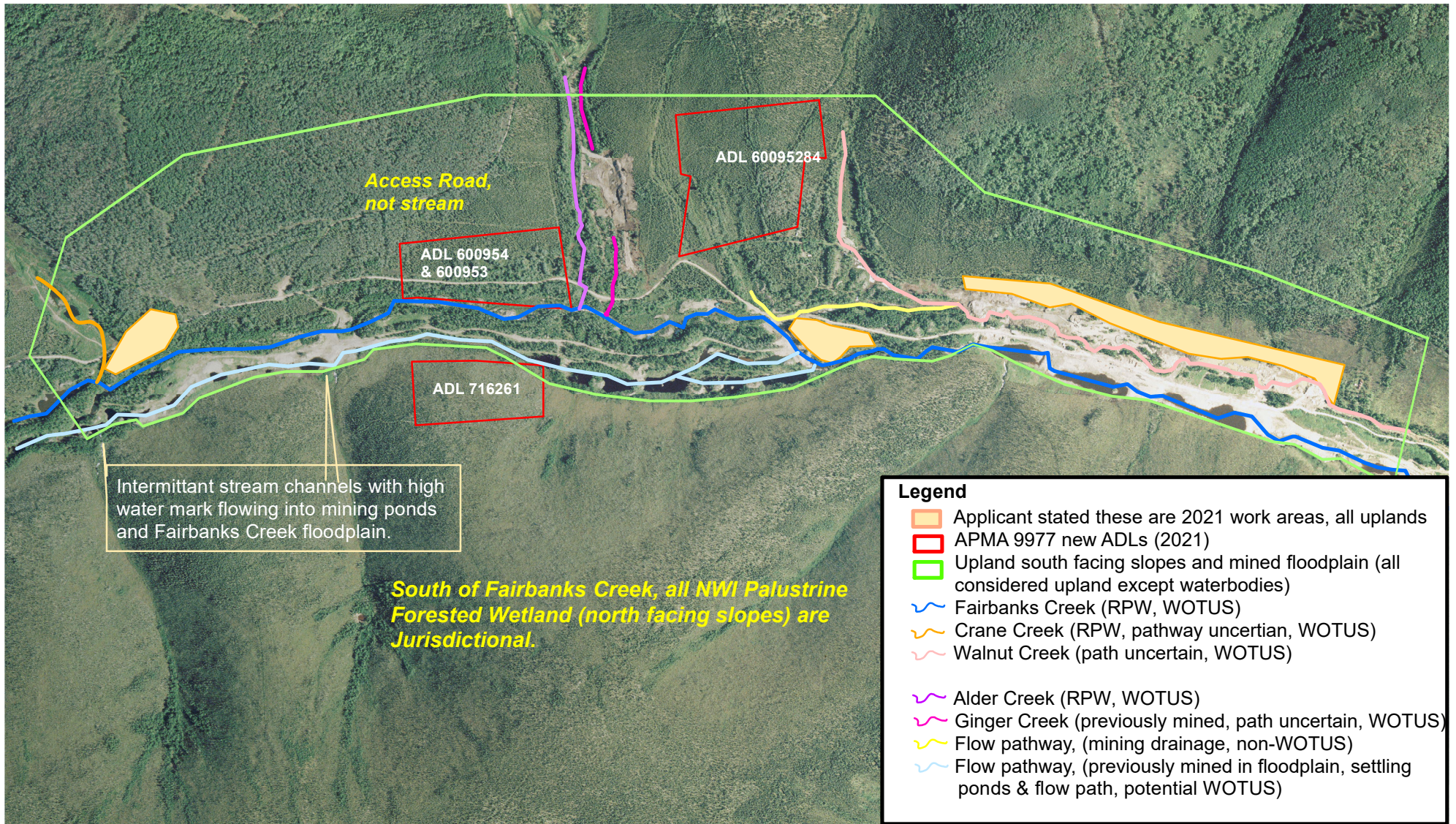
<sup>1</sup> This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

*Amanda Locken*

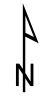
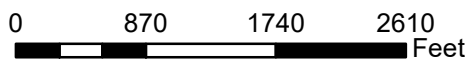
Amanda Locken  
Regulatory Specialist  
North Central Section

20220523

Date



USACE Regulatory, Alaska District Fairbanks  
 Field Office (907) 347-6148  
 Contact: amanda.n.locken@usace.army.mil  
 Citation: DOQ\_2007\_center1.sid (FNSB 2007)  
 (accsd online 2022/05),  
 Scale: 1:15,400 Date:06/02/2022



**POA-2011-00073,  
 APMA 9977 Paul & CO.  
 Uplands, Wetlands and  
 Waterbodies, 2020**