

**APPROVED JURISDICTIONAL DETERMINATION FORM**  
**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):** 20190107

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Alaska District, POA-2019-00298

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

State: Alaska                      Borough: Matanuska-Susitna                      City: Telkeetna  
Center coordinates of site (lat/long in degree decimal format): Lat. 62.1449° N., Long. 150.0133 °W.  
Name of nearest waterbody: Montana Creek  
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Susitna River  
Name of watershed or Hydrologic Unit Code (HUC): Little Montana Creek-Montana Creek, 190205050105

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: 201900701  
 Field Determination.                      Date(s): 20190613

**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 "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

**1. Waters of the U.S.**

**a. Indicate presence of waters of U.S. in review area (check all that apply):<sup>1</sup>**

- TNWs, including territorial seas
- Wetlands adjacent to TNWs
- Relatively permanent waters<sup>2</sup> (RPWs) that flow directly or indirectly into TNWs
- Non-RPWs that flow directly or indirectly into TNWs
- Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- Impoundments of jurisdictional waters
- Isolated (interstate or intrastate) waters, including isolated wetlands

**b. Identify (estimate) size of waters of the U.S. in the review area:**

Non-wetland waters: 600 linear feet: 200 width (ft)

**c. Limits (boundaries) of jurisdiction based on:** Established by the OHW.

**2. Non-regulated waters/wetlands (check if applicable):<sup>3</sup> N/A**

**SECTION III: CWA ANALYSIS**

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

**2. RPWs that flow directly or indirectly into TNWs.**

- Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: Montana creek flows year round and is directly connected to a TNW.
- Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: N/A

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: 600 linear feet in length; 200 linear feet in width (ft).

**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: N/A
- Data sheets prepared/submitted by or on behalf of the applicant/consultant. N/A
- Data sheets prepared by the Corps: N/A
- Corps navigable waters’ study: N/A
- U.S. Geological Survey Hydrologic Atlas:
  - USGS NHD data.
  - USGS 8 and 12 digit Little Montana Creek-Montana Creek, HUC12-1902050105
- Alaska District’s Approved List of Navigable Waters. Referenced 20190701
- U.S. Geological Survey map(s). Cite scale & quad name: N/A
- USDA Natural Resources Conservation Service Soil Survey. N/A
- National wetlands inventory map(s). N/A
- State/Local wetland inventory map(s): N/A
- FEMA/FIRM maps: Review area is within the Montana Creek Flood Zone
- 100-year Floodplain Elevation is: N/A (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): SimSuite 20190613-18 and GoogleEarth 20190613-18  
or  Other Complainant provided site photos and Site visit photos 20190613.
- Previous determination(s). N/A
- Applicable/supporting case law: N/A
- Applicable/supporting scientific literature: N/A
- Other information (please specify): N/A

**B. ADDITIONAL COMMENTS TO SUPPORT JD:** The review area consisted of two (2) distinct impact sites below the OHW mark of Montana Creek, which directly flows into the Susitna River, a TNW, approximately 4.5 miles from the impacted areas. The impacts associated with the review area consist of stream stabilization activities 200 linear feet in length and gravel extraction operations in a dormant stream channel.