

**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): July 22, 2019**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: POA-2019-00452**

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

State: Alaska                      County/parish/borough: Kenai Peninsula                      City: Homer  
Center coordinates of site (lat/long in degree decimal format): Lat. 59.7293° N., Long. 151.3196° W.  
Universal Transverse Mercator: Zone 5

Name of nearest waterbody: Fritz Creek

Name of watershed or Hydrologic Unit Code (HUC): 190203010805 Fritz Creek

- 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:  
 Field Determination. Date(s): July 19, 2019

**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: 19 July, 2019 data sheet  
 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: Western Kenai Peninsula Soil Survey, 2005, USDA Web Soil Survey  
 National wetlands inventory map(s). Cite name: <https://www.fws.gov/wetlands/Data/Mapper.html> accessed 22 July, 2019  
 State/Local wetland inventory map(s): <https://gis.kpb.us/map/index.html?viewer=terrain>  
 FEMA/FIRM maps:  
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Google Earth, 8 May, 2014 & 18 Aug, 2015  
 or  Other (Name & Date): See site visit MFR enclosure, 22 July, 2019  
 Previous determination(s). File no. and date of response letter: POA-2017-00288; 14 July, 2017  
 Applicable/supporting case law:  
 Applicable/supporting scientific literature:  
 Other information (please specify): Site visit MFR dated 22 July, 2019.

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** The NWI mapping indicated no wetlands are present on the parcels. No waters of the U.S., including wetlands were found on the subject parcels during the site visit. Aerial imagery shows an increase in the woody vegetation found

<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.

on the parcels. A recent delineation was conducted on a nearby parcel. The uplands found on that parcel match the image signature of the subject parcel. The contour lines on the subject parcel do not indicate any areas of concentrated flow. They also do not indicate any abnormally flat or nearly level locations on an otherwise rather uniformly sloped area. This JD is associated with that of POA-2019-00435.