



**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): 10/5/2020

ORM Number: POA-2020-00432

Associated JDs: None

Review Area Location¹: State/Territory: AK City: Circle County/Parish/Borough: Southeast Fairbanks Borough

Center Coordinates of Review Area: Latitude 65.826 Longitude -144.062

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). Rationale: Online resources show that there are no soils, vegetation, or hydrology within the site that would indicate the presence of wetlands.
- 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
N/A.	N/A.	N/A.	N/A.

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.

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 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.



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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.	

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: Application packet dated September 8, 2020

This information is sufficient for purposes of this

AJD. Rationale: N/A

Data sheets prepared by the Corps: N/A

Photographs: Aerial and Other: Ground photographs provided by applicant & Google Earth aerial imagery dated June 2019

Corps site visit(s) conducted on: N/A

Previous Jurisdictional Determinations (AJDs or PJDs): N/A

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

USDA NRCS Soil Survey: USDA, Yukon Flats Area, AK (dated June 2, 2020)

USFWS NWI maps: HUC 8, Yukon Flats (accsd 2020)

USGS topographic maps: Circle D-1 (dated 2018)

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): Aerial imagery indicates bare-ground throughout the project area and neighboring parcels. The site appears to contain no overstory vegetation from the tree/sapling stratum, and less than 10% cover of grass and shrubs throughout the ground layer. Present understory species appear to include *Betula nana* (FAC), *Calamagrostis canadensis* (FAC), *Chamaenerion angustifolium* (FACU), *Gymnocarpium dryopteris* (FACU), and *Cornus canadensis* (FACU). The NRCS Custom Soils report for the project area indicates that the sole soil unit in the area is Twin-Gushdoiman-Typic Cryaquents complex

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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with 0 to 3 percent slopes. These soils typically contain upper layers of peat & muck material, followed by silty loam, and occasionally, deep permafrost. This frequently flooded complex has a water table depth of 0-10 inches, and a majority of its complex components have a hydric soil rating. The average annual precipitation near Circle ranges from about 8 to 12 inches. The freeze-free period at the lower elevations averages about 45 to 97 days. The NHD, USGS Quad maps and the NWI show the Yukon River running northwest at the eastern extent of the project site. No obvious signs of surface hydrology or connections to nearby waterways are visible on aerial imagery; additionally, the soils in and around the parcel do not show any visible saturation during various times of the year. Based on the information made available to this office, it is concluded that the site is comprised entirely of uplands. No DA authorization would be required prior to the placement of dredged and/or fill material within the site.

C. Additional comments to support AJD: N/A