



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): December 31, 2020
 POA-2017-00362, APMA#2865, North Fork Squaw Creek
 ORM Number: POA-2017-00362
 Associated JDs: POA-2017-00362, Squaw Creek (Rapanos era JD, 17 Aug, 2017)
 Review Area Location¹: Section 32, T. 7 N., R. 14 E., Fairbanks Meridian; USGS Quad Map Circle B-2; Latitude 65.4037° N., Longitude -144.9196° W. (begin stream diversion); ADL number, 622079.
 State/Territory: AK City: near Circle County/Parish/Borough: Yukon-Koyukuk Census Area
 Center Coordinates of Review Area: Latitude 65.3855 Longitude -144.9121

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: N/A or describe rationale.
- 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
North Fork Squaw Creek	400 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	This perennial stream flows directly into Squaw Ck, which flows into Harrison Ck., a TNW.

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 independent 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.

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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Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Floodplain wetlands PSS	1.1 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This floodplain wetland is dominated by FAC tall shrubs as seen from aerial photo and is within shallow water table of N. Fork Squaw Ck which it abuts.

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: *RGP Supplements 1-3 (December 07, 2020, additional documents December 14, 2020).*

This information is *not* sufficient for purposes of this AJD.

Rationale: *The description of vegetation is not conclusive (both FACW and FACU spp appeared to be dominant in the site description) and the aerial photos and site photos were not of the project site in the floodplain, rather of a nearby claim worked in the previous iteration of the permit. Analysis of aerial imagery and LiDAR was necessary to establish a floodplain boundary and verify the presence of wetlands.*

Data sheets prepared by the Corps: *N/A*

Photographs: *Applicant photo from airplane (courtesy of BLM, 07/2017), Google Earth, 2014 (accsd 01/2021), AKDNR mapper imagery layer*

Corps Site visit(s) conducted on: *N/A*

Previous Jurisdictional Determinations (AJDs or PJDs): *Squaw Creek, Aug 17, 2017*

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

USDA NRCS Soil Survey: *No Modern Data Available*

USFWS NWI maps: *No Data Available*

USGS topographic maps: *Circle B-2, 1:63,360.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	National Hydrography Database, accessed online 2019 (last update, 2016)
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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- B. Typical year assessment(s):** N/A, precipitation data does not exist for this site.
- C. Additional comments to support AJD:** Approximately 400 ft of N. Fork Squaw Ck will be temporarily relocated into a 600ft trench on the sidehill to the east, and 1.1 acres of the dry stream valley will be placer mined. This is a tributary to Squaw Creek, which is a tributary to Harrison Creek, both RPWs which feed into Section 10 waters.

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POA-2017-00362, APMA#2865, Wetland Map

North Fork Squaw Creek Wetland Area extending across the floodplain. N. Fork Squaw Ck is joined downstream of the project area by an intermittent drainage.

