

**APPROVED JURISDICTIONAL DETERMINATION FORM**  
**U.S. Army Corps of Engineers**

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):** January 3, 2016

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Alaska District, POA-2011-575 Fox Creek, APMA 2205

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

State: Alaska                      Borough: Fairbanks North Star Borough                      City: Fox

Center coordinates of site (lat/long in degree decimal format): Lat. 64.9797 ° N., Long. 147.6244 °W.

Name of nearest waterbody: Fox Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Goldstream Creek, flows into the Minto Flats wetland complex adjacent to the Tanana River.

Name of watershed or Hydrologic Unit Code (HUC): 19030004- Tanana River

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:      January 3, 2016

Field Determination.                      Date(s):      DATE

**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: CWA ANALYSIS**

**A. TNWs AND WETLANDS ADJACENT TO TNWs**

Not applicable

**B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):**

Not applicable

**C. SIGNIFICANT NEXUS DETERMINATION**

Not applicable

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

Not applicable

**E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY)**

Not applicable

**F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):**

Not applicable

**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: APMA application information and plans.
- 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: TEXT
- Corps navigable waters' study: TEXT
- U.S. Geological Survey Hydrologic Atlas: TEXT
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- Alaska District's Approved List of Navigable Waters
- U.S. Geological Survey map(s). Cite scale & quad name: TEXT
- USDA Natural Resources Conservation Service Soil Survey. Citation: TEXT
- National wetlands inventory map(s). Cite name: Google Earth
- State/Local wetland inventory map(s): TEXT
- FEMA/FIRM maps: TEXT
- 100-year Floodplain Elevation is: TEXT (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Google Earth  
or  Other (Name & Date): Ground photos submitted by David Charron (Alaska Department of Natural Resources (AK DNR)) in email dated Dec 29 2016.
- Previous determination(s). File no. and date of response letter: TEXT
- Applicable/supporting case law: TEXT
- Applicable/supporting scientific literature: TEXT
- Other information (please specify): Based on examination of aerial photos, NWI wetland mapping, NRCS soil mapping website and site visit by AK DNR, the site has no wetlands and the drainage features have no ordinary high water mark. The applicant stated there are no wetlands and he has not seen flow in the drainage feature even during the wet summer of 2016. This information corroborates my desktop analysis that there are only uplands at the site.

**B. ADDITIONAL COMMENTS TO SUPPORT JD:** The site contains a dominance of upland vegetation and soils (Natural Resource Conservation Service (NRCS) soil mapping website, DNR and applicant site visit). Features within the mining areas are colluvial in nature or constructed in uplands (e.g., Davidson Ditch). Soil information suggests dominant soils are well drained or retain moisture moderately and do not convey surface water under normal conditions. There is no evidence of an ordinary high water mark in the surface drainage features.