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): September 28, 2015

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Alaska District, POA- *2015* **-** *541*

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Alaska Borough: Nome Census area City: Unalakleet
Center coordinates of site (lat/long in degree decimal format): Lat. 63.898 ° *N*, Long. 160.778 °W
Universal Transverse Mercator: *Click here to enter text.*
Name of nearest waterbody: Pacific Ocean
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Pacific Ocean
Name of watershed or Hydrologic Unit Code (HUC): 19050102

- [x] 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):

- [x] Office (Desk) Determination. Date: September 28, 2015
- [ ] Field Determination. Date(s): *Click here to enter a date.*, *Click here to enter a 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. [*Required*]

- [ ] Waters subject to the ebb and flow of the tide.
- [ ] Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain: *Click here to enter text.*

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. ***[Required]***

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):

- [x] Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Applicant supplied plat for the area developed by the Alaska Rim Engineering Inc.
- [ ] 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:
- [ ] Corps navigable waters' study:
- [x] U.S. Geological Survey Hydrologic Atlas: Data acquired 9-28-2015
  - [x] USGS NHD data.
  - [x] USGS 8 and 12 digit HUC maps.
- [ ] Alaska District's Approved List of Navigable Waters
- [x] U.S. Geological Survey map(s). Cite scale & quad name: Unalakleet D-4
- [ ] USDA Natural Resources Conservation Service Soil Survey. Citation: s9253
- [ ] National wetlands inventory map(s). Cite name: No Data Available
- [ ] State/Local wetland inventory map(s):
- [ ] FEMA/FIRM maps:
- [ ] 100-year Floodplain Elevation is: *Click here to enter text.* (National Geodectic Vertical Datum of 1929)
- [x] Photographs: [x] Aerial (Name & Date): GINA BDL (No Date), Google Earth (6-26-2004), Digital Global (8-31-2015)
  - [ ] or [x] Other (Name & Date): photos of the project area provided by Tracy Cooper on 9-22-2015
- [ ] Previous determination(s). File no. and date of response letter: No previous determinations have been done in this location
- [ ] Applicable/supporting case law: *Click here to enter text.*
- [ ] Applicable/supporting scientific literature: *Click here to enter text.*
- [ ] Other information (please specify): *Click here to enter text.*

B. ADDITIONAL COMMENTS TO SUPPORT JD: The hydric soils unit (s9253) contains 85% hydric soils. However, the soil unit follows the Unalakleet River, and mostly contains soils within the floodplain of the Unalakleet River. The project site is located on the side of the Nulato Hills just north of the Unalakleet River and the native village of Unalakleet so it is likely that the project is located in the 15% non-hydric part of the soil unit. According to the pictures provided by Tracy Cooper on 9-22-2015 the vegetation is mostly FAC and FAC UP. Lastly, because the site is located on the slope of a hill, and there were no indications of water from aerial photos and ground photos hydrology wouldn't support wetlands. Therefore an upland determination has been made.

September 28, 2015

Jeremy Grauf
Regulatory Specialist

Date