

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): January 19, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Alaska District, POA-2016-549

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Alaska Borough: Nome Census Area City: Shaktoolik
Center coordinates of site (lat/long in degree decimal format): Lat. 64.33475° N., Long. 161.159558 °W.
Universal Transverse Mercator: 4
Name of nearest waterbody: Norton Sound
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Norton Sound
Name of watershed or Hydrologic Unit Code (HUC): Tagoomenik River (1905010204)

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 19, 2017

Field Determination. Date(s): November 15, 2016

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: N/A

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are not "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

- TNWs, including territorial seas
- Wetlands adjacent to TNWs
- Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
- Non-RPWs that flow directly or indirectly into TNWs
- Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- Impoundments of jurisdictional waters
- Isolated (interstate or intrastate) waters, including isolated wetlands

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

- b. Identify (estimate) size of waters of the U.S. in the review area:**
 Non-wetland waters: 0 linear feet.
 Wetlands: 0 acres.
- c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual**

Elevation of established OHWM (if known): N/A

2. Non-regulated waters/wetlands (check if applicable):³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

Explain: N/A

SECTION III: CWA ANALYSIS

Note: Section III has been omitted due to inapplicability.

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: Bristol Engineering Services Corporation conducted a wetland delineation report, "Wetland Delineation Report Evacuation Raod Rehabilitation Project Shaktoolik, Alaska", on November 15, 2016; and "Revised Study Area" January 18, 2017
- 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:
- U.S. Geological Survey Hydrologic Atlas: Tagoomenik River Watershed
 - 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: AK-NORTON BAY B-5
- USDA Natural Resources Conservation Service Soil Survey. Citation: s9253
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is:
- Photographs: Aerial (Name & Date): Digital Globe (June 15, 2015), Community Map (June 27, 2004)
 or Other (Name & Date): Site photos from wetland delineation provided from the contractor (November 2016)
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: All three parameters have not been met. The village of Shaktoolik is located on a narrow spit with the Tagoomenik River to the east and Norton Sound to the west. The spit is mostly composed of washed sand and gravel beach deposits. The entire area of interest is comprised of well drained soils that drain directly into either the Tagoomenik River or Norton Sound, and do not contain any standing water. We concur with the wetland delineation provided by DNA Environmental with the added "Revised Study Area".

³ Supporting documentation is presented in Section III F.

Jeremy Grauf
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NORTH Section

January 20, 2017

Date