

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION

(JD): November 6, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Shaktoolik Community Berm Project,
POA-2017-530

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Alaska County/parish/borough: Nome Borough City: Shaktoolik

Center coordinates of site (lat/long in degree decimal format): Lat. 64.35153 °, Long. -161.19070 °

Name of nearest waterbody: Norton Sound

Name of watershed or Hydrologic Unit Code (HUC): HUC 190501

- Check if map/diagram of review area is 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. November 6, 2017
Date:
- Field Determination.
Date(s):

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: 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: “Preliminary Wetland Determination for Shaktoolik Community Berm Project, Shaktoolik, Alaska” prepared August 2017 by Midnight Sun Environmental, LLC. and received by the Corps October 23, 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:
- U.S. Geological Survey Hydrologic Atlas: SimSuite, November 11, 2017
 - USGS NHD data.

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name:
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth, October 23, 2017
- or Other (Name & Date): Site photos provided by applicant. in “Final Draft Design Study Report Community Berm Project Shaktoolik, Alaska”, prepared by Bristol Engineering Services June 2017 and submitted to the Corps October 23, 2017
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

Bristol Engineering has submitted an application for an Approved Jurisdictional Determination (AJD) signed October 19, 2017 on behalf of the Native Village of Shaktoolik. The Native Village of Shaktoolik is seeking an AJD for their proposed project site where they plan to expand an existing berm by placing sand, gravel and driftwood to protect their village, which is located on a peninsula in Norton Sound, from erosion and storm events resulting in high water/flooding.

The applicant submitted to the Corps a wetland delineation conducted in August 2017, by Midnight Sun Environmental, LLC titled “Preliminary Wetlands Determination for Shaktoolik Community Berm Project, Shaktoolik, Alaska.” In Accordance with the USACE Wetland Delineation Manual, The Alaska Regional Supplement, and the Cowardin Wetland Classification manual (Cowardin et.al., 1979), the applicant conducted a wetland delineation of the 16.5 acre study site. Fourteen determination points were studied. The Corps reviewed the wetland determination data forms provided by the applicant: Vegetation communities predominantly identified were dry herb communities. The study areas were well drained and had a soil profile consisting of sand and gravel. No indicators of hydric soil were observed in any of the areas. Uplands were documented at each determination point. The Corps concurs that 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.

The applicant submitted to the Corps a project design study conducted in June 2017, by Bristol Engineering Services titled, “Final Draft Design Study Report Community Berm Project Shaktoolik, Alaska”, and reported that the distance from the toe of the site to the edge of the water (Norton Sound) appeared to be at least 100 feet during mean high tide. The Corps also evaluated aerial photos, provided by Google Maps, and site photos provided by the applicant. The Corps has determined that 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.

Information on Shaktoolik was not available in any of the following databases: The National Wetlands Inventory (NWI), the FEMA Floodmap Service, or USDA Natural Resource Conservation Service (NRCS) Soil Classification databases.