

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
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): November 29, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: POA-2017-558

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Alaska County/parish/borough: Yukon-Kuskokwim Census Area City: Nikolai
Center coordinates of site (lat/long in degree decimal format): Lat. 63.01889°, Long. -154.3681°

Universal Transverse Mercator: K.R.M.

Name of nearest waterbody: South Fork Kuskokwim River

Name of watershed or Hydrologic Unit Code (HUC): HUC8 19030407

- ☒ 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. Date: November 29, 2017
- ☐ Field Determination. Date(s): [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.

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: Nikolai Community Map (Sheet 2) with 2ft. contours
- ☐ 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: [Click here to enter text.](#)
- ☒ U.S. Geological Survey Hydrologic Atlas: HUC8 19030407
- ☐ USGS NHD data.
- ☒ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Medfra A-3, 1:63,000
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: No data available in this area. However, the Major Land Resource Area within which this city lays (229—Interior Alaska Lowlands) is well documented to the south and west within the NRCS publication *Soil Survey of Western Interior Rivers Area, Alaska*.
- ☐ National wetlands inventory map(s). Cite name: No NWI coverage in this area
- ☒ State/Local wetland inventory map(s): Nikolai Community Map (2009) states that the ordinary high water mark (OHWM) for the S. Fork Kuskokwim is at 424ft.above sea level.
- ☐ FEMA/FIRM maps: No FEMA or FIRM coverage in this area
- ☐ 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): ESRI Basemap Imagery (accessed 11/2017)
- ☐ or ☒ Other (Name & Date): Nikolai Community Map (Sheet 2: 2009 imagery at 1:500)
- ☐ Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)
- ☐ Applicable/supporting case law: [Click here to enter text.](#)
- ☐ Applicable/supporting scientific literature: [Click here to enter text.](#)
- ☒ Other information (please specify): 1) Nikolai Community Development Plan. Prepared by Tanana Chiefs et. al. (2012)
- 2) Applicant cell phone data (elevation 440 ft.)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The applicant provided a picture of the property and residence in question along with aerial imagery. These documents clearly show upland vegetation (mixed forest of Birch and White Spruce) on the property and the adjacent development. The NRCS publication, *Soil Survey of Western Interior Rivers Area, Alaska*, was reviewed for pertinence to the project area soils

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.

and landscape position. Soils are likely similar to the soil series R29FPC—Interior Alaska Lowlands, Boreal Flood Plains and Terraces with loamy to organic soils. In order these are: occasionally flooded, no ponding with depth to water table of 47 in., and occasionally flooded, frequent ponding with depth to water table of 19.5 in. The applicant's elevation data, though likely only accurate to 1-3meters, shows the property is above OHWM of the South Fork Kuskokwim, supporting the NRCS report that there is no high water table within 20 inches of the surface (the active layer).