



REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, ALASKA  
REGULATORY DIVISION  
WESTSIDE BUSINESS PARK  
2175 UNIVERSITY AVENUE, SUITE 201E  
FAIRBANKS, ALASKA 99709-4910**

December 15, 2008

CERTIFIED MAIL RECEIPT NO.: 7000 1530 0001 0755 1704

Regulatory Division  
POA-1994-143

Great Northwest, Inc.  
Mr. Anton Johansen, P.E.  
Post Office Box 74646  
Fairbanks, Alaska 99707

Dear Mr. Johansen:

This is a revised response, pursuant to the appeal decision dated July 28, 2008, to your request for a jurisdictional determination on July 12, 2006, for a parcel of land further described as the Great Northwest, Inc. Van Horn Road Facility, located in sections 19 and 20, T. 1 S., R.. 1 W., Fairbanks Meridian; Latitude 64.8086 N., Longitude 147.8082 W., south of Van Horn Road and east of Fairbanks International Airport, near Fairbanks, Alaska. An approved jurisdictional determination was issued on November 7, 2007, and an appeal was received on December 21, 2007. A site visit and appeal conference was held on June 10, 2008.

On July 28, 2008, the Appeal Decision was issued. The Fairbanks Field Office was directed to document conditions related to Channel A, and to revisit our jurisdictional determination if we intended to rely upon the connection between the project site and Channel A as a secondary reason for regulatory jurisdiction. We have determined there is insufficient data at this time to document a surface or shallow subsurface connection with Channel A. However, as concluded in the appeal decision document, the wetlands on the subject parcel are "clearly adjacent to a traditional navigable waterway, the Tanana River." No secondary reason is necessary to assert jurisdiction. We have therefore determined the above property contains waters of the U.S., including wetlands, under the Corps' regulatory jurisdiction. A copy of the Approved Jurisdictional Determination form is available, under the above file number POA-1994-143, at <http://www.poa.usace.army.mil/reg/ApprovedJDs.htm>.

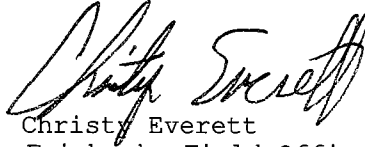
This Jurisdictional Determination is the Corps' final decision and concludes the administrative appeal process. Per 33 CFR 331.5(b)(c) this Jurisdictional Determination is not subject to appeal. The Notification of Administrative Appeal Options and Process and Request for Appeal form included in our letter dated December 2, 2008 was sent in error, and is not valid. This approved jurisdictional determination is valid for five (5) years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date.

In accordance with Special Condition Number 1 of the DA permit issued on March 28, 2007, please transfer the funds in the escrow account (\$55,000) to The Conservation Fund within five business days of receipt of this letter. Please provide documentation of the transfer to our office.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

You may contact me via email at [Christy.a.everett@usace.army.mil](mailto:Christy.a.everett@usace.army.mil), by mail at the address above, or by phone at (907) 474-2166, if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Christy Everett". The signature is written in a cursive style with a large initial "C".

Christy Everett  
Fairbanks Field Office Manager

Copy Forward:

Mr. Thom Lichte, Regulatory Program Manager, CEPOD-PDC

Mr. Brad Meiklejohn, Alaska Representative, The Conservation Fund