



**Municipality of Anchorage**  
**Watershed & Natural Resources Advisory Commission**

**A G E N D A**

**Wednesday, June 23, 2021**  
**12:00 Noon – 1:30 p.m.**

**Regular Meeting**

**Virtual Meeting via Microsoft Teams**

Join by Link: [Click here to join the meeting](#)  
and/or

Join by Conference Call:

**Teams Meeting Dial-in Number: 907-519-0237**

**Meeting Conference ID: 768 770 199#**

**I. CALL TO ORDER**

- A. Establishment of Quorum
- B. Disclosures

**II. MINUTES**

- A. December 23, 2020
- B. January 27, 2021

**III. OLD BUSINESS**

**IV. NEW BUSINESS**

- A. WNRC Case No. 2021-01, Proposed Chugach Solar Farm
- B. Anchorage Wetlands

**V. NEW BUSINESS**

**VI. PERSONS TO BE HEARD (3-minute limit)**

**VII. OTHER BUSINESS/STAFF REPORT**

**VIII. ADJOURNMENT**

**Next Meeting: July 28, 2021, Teams Meeting**





## **Municipality of Anchorage**

### **Watershed & Natural Resources Advisory Commission**

Virtual Teams Meeting

#### ***ACTION SUMMARY***

12:00 Noon

Wednesday, December 23, 2020

#### ***Regular Meeting***

### **I. CALL TO ORDER**

The meeting was called to order at approximately 12:05 p.m.

#### **A. Establishment of Quorum**

*Present:* Emily Creely  
Tamás Deák  
Brett Jokela  
David Nyman, Chair  
Rick Sinnott  
Simon Wigren

*Excused:* Paul McLarnon  
Stephanie Quinn-Davidson, Vice Chair

*Absent:* Holly Kent

*MOA Staff:* Thede Tobish, Senior Planner, Long-Range Planning Division,  
Planning Department

#### **B. Disclosures**

No disclosures.

### **II. ACTION SUMMARY**

#### **A. Regular Meeting of November 18, 2020**

*Commissioner Sinnott* moved to approve the November 18, 2020 meeting minutes as written.  
*Commissioner Jokela* seconded.

***The November 18, 2020 minutes were approved unanimously as written.***

### **III. OLD BUSINESS**

#### **A. WNRC Case No. 2020-02, Potential Collaboration with Matanuska-Susitna Borough, Fish and Wildlife Commission**

The Commission continued an open discussion about how it can establish and enhance collaboration on issues of mutual interest with the Matanuska-Susitna Borough Fish and Wildlife Commission. Items to consider included having both commissions sharing regular meeting announcements and agendas and including Matanuska-Susitna Borough Commission staff in our announcements. Staff will send out meeting announcements.

#### **B. Eklutna River Restoration Study Document—Follow-up**

*Commissioner Jokela* had volunteered to review the study document on behalf of the Commission and gave an overview of these documents. He focused on the geomorphology, infrastructure, and hazards analyses and submitted comments to the project manager contact, who thanked him for commenting.

*Commissioner Jokela* suggested the Commission consider adding a member to the project technical working group. He volunteered to continue as the Commission's liaison.

*Chair Nyman* offered to contact Brad Meiklejohn to request the Watershed Commission be included as a technical working group member. The Commission will invite someone from the restoration project's working group to attend the next regular meeting.

### **IV. NEW BUSINESS**

*Chair Nyman* led a discussion about Commission goals and identification of future projects to review for the next year. The Commission recommended further discussion of this action plan for the January meeting. Some items for consideration included:

- Connors Bog Snow Dump
- Chester Creek Restoration Project at Arctic Boulevard
- Solar Farm at Strawberry Bog
- Cook Inlet Beluga Whales
- Fish Creek Restoration in Spenard
- MOA Stormwater Utility
- Tire Particulates as Pollution (per Seattle findings)

### **V. PERSONS TO BE HEARD (none)**

### **VI. OTHER BUSINESS/STAFF REPORT (none)**

## **VII. ADJOURNMENT**

*Commissioner Deák* moved to adjourn. *Commissioner Sinnott* seconded.

***The motion passed without objection.***

The meeting adjourned at 12:50 p.m.

DRAFT





## Municipality of Anchorage

### Watershed & Natural Resources Advisory Commission

Virtual Teams Meeting

#### ***ACTION SUMMARY***

12:00 Noon

Wednesday, January 27, 2021

#### ***Regular Meeting***

### **I. CALL TO ORDER**

The meeting was called to order at approximately 12:05 p.m.

#### **A. Establishment of Quorum**

*Present:* Brett Jokela  
Holly Kent  
David Nyman, Chair  
Rick Sinnott  
Simon Wigren

*Excused:* Emily Creely  
Paul McLarnon  
Tamás Deák

*MOA Staff:* Thede Tobish, Senior Planner, Long-Range Planning Division,  
Planning Department

*Guests:* Ted Eischeid, Planner, Matanuska-Susitna Borough Planning Department  
Howard Delo, Vice Chair, Matanuska-Susitna Borough Fish and Wildlife  
Commission

#### ***Eklutna Hydro Team:***

Samantha Owen, Project Manager, McMillen Jacobs Associates  
Cory Warnock, McMillen Jacobs Associates  
Joy Huntington, Uqaqti Consulting  
Mike Brodie, Chugach Electric Association  
Julie Hasquet, Chugach Electric Association  
Steve Padula, Hydro Regulatory Services (HRS)  
Tony Zellers, Matanuska Electric Association

## **B. Disclosures**

No disclosures.

*NOTE: The Chair reordered the agenda to take up III.A. Old Business first to accommodate guests attending for the presentation and discussion.*

## **III. OLD BUSINESS**

### **A. WNRC Case No. 2017-03, Eklutna River Restoration, Eklutna Hydroelectric Project Presentation—Eklutna Hydro Project Team**

*Samantha Owen*, from McMillen Jacobs and the project manager for the Eklutna River restoration project, provided a slide presentation as an overview of the restoration project. Several members of the overall project team and project stakeholders were also present.

Consultation outreach with all the players and area stakeholders was started in 2019. At this stage in the project, the consulting team acquired aerial and lidar data for the entire project study area. The Aquatic Technical Work Group was also established.

In 2020, the working group and the planning team did site visits and a preliminary dam conditions assessment and developed a study plan framework to highlight which studies and the order they needed to be undertaken. The team identified 19 study plans needed for over a two-year timeframe. The main study plans include an in-stream flow evaluation and geomorphology and sediment transfer summary.

At this time, the planning team and the advisory group are finalizing the study plans, their timing, and milestones. The study team is also working with the Village of Eklutna to incorporate consultations into the program. They are working on prerequisites and parameters for flow release plans and data needs for the river now also.

The consulting team responded to several Commission questions about the flow release activities and the planning process. Study plans will be reviewed by the State of Alaska and the Governor's Office.

*NOTE: Part of Item VI. Other Business was taken up before the remaining agenda items.*

## **VI. OTHER BUSINESS/STAFF REPORT**

*Ted Eischeid*, planner from the Matanuska-Susitna Borough and staff for the Fish and Wildlife Commission, reported that he and their Commission agreed to attend WNRC meetings when available to offer discussion on issues of mutual interest.



*NOTE: The remaining agenda continued from here.*

## **II. ACTION SUMMARY**

### **A. Regular Meeting of December 23, 2021**

*Holly Kent* stated she was not at the December meeting so would have to abstain. There were not enough remaining commissioners in attendance for approval. The action was postponed to the February meeting.

*NOTE: III.A. Old Business was taken up first at the beginning of meeting.*

## **IV. NEW BUSINESS (none)**

## **V. PERSONS TO BE HEARD (none)**

## **VI. OTHER BUSINESS/STAFF REPORT**

*Chair Nyman* summarized the Commission's December meeting nominations for projects to review or consider for action in 2021. These include:

- Connors Bog Snow Dump
- Chester Creek Restoration Project at Arctic Boulevard
- Solar Farm at Strawberry Bog
- Cook Inlet Beluga Whales
- Fish Creek Restoration in Spenard
- MOA Stormwater Utility
- Tire Particulates as Pollution (per Seattle findings)

## **VII. ADJOURNMENT**

*Commissioner Jokela* moved to adjourn. *Commissioner Kent* seconded.

***The motion passed without objection.***

The meeting adjourned at 1:02 p.m.





**Municipality of Anchorage**  
**Planning Department**  
**Long-Range Planning Division**  
**Memorandum**



IV.A.

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**Date:** June 18, 2021  
**To:** Watershed & Natural Resources Advisory Commission  
**From:** Kristine Bunnell, Senior Planner  
**Subject:** WNRC Case No. 2021-01, Proposed Chugach Solar Farm

An application has not been submitted to the Planning Department to date for the proposed solar farm project, which you received a presentation on at the May 26, 2021 work session.

A use determination (Attachment 1) for a solar farm in Strawberry Bog was requested by the project proponents, Renewable IPP, LLC. It was determined this use is “Utility Facility.” The land use for Strawberry Bog is designated as Parks and Open Area. The zoning district is PLI – Public Lands and Institutions.

The Parks and Open Area land use designation does not allow a Utility Facility as a use. The PLI zoning district permits a Utility Facility as a Conditional Use and would require a conditional use application.

An amendment to the Anchorage 2040 Land Use Plan Map is one route the proponent could take to consider the appropriateness of a Conditional Use application for a Utility Facility on this site.

The attached information (Attachment 2) on both the comprehensive plan amendment and conditional use permit processes is being provided for your information.

The Commission may wish to provide advice on what issues need to be addressed in a Comprehensive Plan amendment or on a conditional use permit application. However, without an application for either, that advice may be premature.

Jenn Miller of Renewable IPP, LLC, provided information (Attachment 3) regarding the wetland jurisdiction determination completed by the Army Corps of Engineers. The wetland was determined to be non-jurisdictional.

Attachments: 1. Use Determination  
2. Process Information on Comprehensive Plan Amendment and Conditional Use Permit  
3. Corps of Engineers Response Letter and Approved Jurisdictional Determination (AJD)

cc: Michelle McNulty, Planning Director  
Dave Whitfield, Current Planning Division Manager



# MUNICIPALITY OF ANCHORAGE



Planning Department  
Land Use Review Section

Phone: 907-343-7931  
Fax: 907-343-7927

*Acting Mayor Austin Quinn-Davidson*

March 26, 2021

Renewable IPP, LLC  
Attn: Jen Miller  
1570 Garden Street  
Anchorage, AK 99508

Ms. Miller;

This letter revises and supersedes the previous use determination written by Sonnet Calhoun on February 9<sup>th</sup>, 2021. The proposed location for the solar farm is on the vacant lot north of Strawberry Road, east of Northwood Street, south of Raspberry Road, and west of Minnesota Drive.

The site is legally described as Lot 3, Raspberry Road Muni Land SEL, ASLS 97-10, Parcel ID# 012-591-07.

The narrative provided with this request indicates that approximately 65-acres of the 190-acre parcel is proposed to site a solar energy farm. The solar panels will generate electric power to be sold wholesale to Chugach Electric Association, and then resold to Chugach Electric Association's customers in the Anchorage area.

This site will hold approximately 24,000 solar panels, 9,000 foundation piles and racking. The solar panels are mounted to a pile foundation a minimum of 3.5 feet above grade to ensure wetland hydraulic functionality. The rows are spaced approximately 50 feet apart to maintain snow clearing space for winter energy production and minimize inter-row shading of the solar panels. The site will have five step-up transformers which will be sited on small, gravel pads. The transformers contain oil for insulation purposes which is a flammable material.

The construction of the site will require 250 cubic yards of gravel fill to construct the five transformer pads. The pads will be finished with a concrete surface approximately 6-inches thick, which will need 50 cubic yards of concrete. The gravel and concrete will be delivered to the site in the winter when the ground is frozen, or by using construction mats in the summer.

No driveway or access road is planned for this site. Once the site is constructed it will be operated by foot traffic. The east and west bound traffic lanes on Strawberry Road have full parking lanes and these are planned for employee parking and equipment deliveries during construction. Maintenance of the solar farm consists of manual panel clearing with long brushes and snow blowing equipment. A tracked skid steer and hand operated snow rakes will be stored on site for winter snow plowing.

The construction of the solar farm will create 20-30 construction jobs and 5-10 part-time maintenance jobs for the duration of the anticipated 30-year solar farm operation. The solar farm is quiet except for snow-blowing operations in the winter.

The solar farm does not produce noise or emissions, and the 50-foot spacing between rows and short structure height help maintain the "open space" feel of the property. The narrative indicates the operation of the solar farm is expected to have little or no impact to adjacent properties.

A natural 1.4-mile earthen trail with interpretive signs about solar energy is planned for the perimeter of the solar farm for community use. The walking trail will be constructed by using a mulcher to mulch trees and brush removed from the site to form the base of the trail. The trail may be maintained for year-round use.

The project narrative includes a site plan showing a 60-foot vegetative buffer at the west side of the site abutting Northwood Street, and at the south of the site abutting Strawberry Road.

Title 21 does not have a use category for a solar farm. **It is the determination of this department that the use of this site as described by the applicant has characteristics most similar to a Utility Facility**, which is defined by AMC 21.05.040J.3.a. as *"A service of a regional nature that normally entails the construction of new buildings or structures, and that typically has employees at the site. Examples include water works, water or sewage treatment plants, power or heating plants, or steam generating plants."* The solar farm will be subject to all requirements for a Utility Facility, including landscaping, off-street parking, and other applicable provisions of Title 21.

The proposed site of the Chugach Solar Farm north of Strawberry Road, east of Northwood Street, south of Raspberry Road, and west of Minnesota Drive is located within the PLI (Public Lands and Institutions) zoning district. **A Utility Facility in the PLI zoning district requires a Conditional Use Approval by the Planning and Zoning Commission.**

The narrative provided by the applicant also describes a walking trail for community use. **The walking trail is not accessory to the solar farm and is most similar to a Park, Public or Private** in the Parks and Open Areas of Title 21 and is defined by AMC 21.05.040G.2.a. as *"An area that is predominately open space, reserved for and designed to be used principally for active and/or passive recreation, and/or to serve ecological and aesthetic functions; any area designated as park by the assembly."*

**A Park, Public or Private is a permitted use in the PLI zoning district.**

This determination is based on the information provided by the applicant. If additional information is obtained, or the information provided is later determined to be inaccurate or false and materially changes the conclusion herein, the department may revise or revoke this determination.

Please feel free to contact our office if you have any additional questions or concerns.

Sincerely,

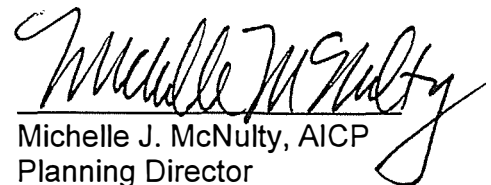
Concur,



Sonnet Calhoun  
Land Use Reviewer  
Municipality of Anchorage  
Planning Department  
907-343-8353



Dave Whitfield  
Manager, Current Planning  
Municipality of Anchorage  
Planning Department  
907-343-8329



Michelle J. McNulty, AICP  
Planning Director  
Municipality of Anchorage  
Planning Department

*Appeal: This use determination may be appealed to the Zoning Board of Examiners and Appeals (ZBEA) in accordance with AMC 21.03.050B. The appeal may be brought by any party of interest for the application no later than 20 days after the date of service of the decision. The appeal fee is \$1,130 and is required to be paid at the time the appeal is submitted. If the ZBEA fully overturns the decision of the director, then the fee will be returned. If the ZBEA overturns the decision of the director in part, then half of the fee will be returned. Please contact the Current Planning Section for more information.*





## **Attachment 2**

### **BACKGROUND INFORMATION**

#### **COMPREHENSIVE PLAN AMENDMENTS AND CONDITIONAL USE PERMIT APPLICATIONS**

**June 2021**

#### **SUBMITTAL REQUIREMENTS WHEN REQUESTING A COMPREHENSIVE PLAN AMENDMENT: (ADDITIONAL INFORMATION AS NEEDED)**

The Planning and Zoning Commission hears and makes a recommendation to the Assembly for approval, approval with amendments, or denial. The Assembly is the body which makes the final decision on the amendment. The proponent must submit all the below and especially address the criteria in #4. The burden of proof rests with the applicant.

1. Map of the petition site.
2. Map of the surrounding area with existing land use.
3. Narrative statement explaining:
  - a. Need and justification for the comprehensive plan amendment.
  - b. The proposed land use and development.
  - c. The probable timeframe for development.
4. An analysis of how the proposal meets the comprehensive plan amendment criteria of AMC 21.03.070C.2.
  - a. The proposed amendment is necessary in order to address one or more of the following:
    - i. A change in projections or assumptions from those on which the comprehensive plan is based;
    - ii. Identification of new issues, needs, or opportunities that are not adequately addressed in the comprehensive plan;
    - iii. A change in the policies, objectives, principles, or standards governing the physical development of the municipality or any other geographic areas addressed by the comprehensive plan; or
    - iv. Identification of errors or omissions in the comprehensive plan.
  - b. The proposed amendment maintains the internal consistency of the comprehensive plan and is consistent with the other elements of the comprehensive plan without the need to change other components of the plan to maintain internal consistency.
  - c. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the community.
  - d. If the proposed amendment is to the comprehensive plan map, the requested land use designation is found to be equally or more supportive of the comprehensive plan goals, objectives, policies, and guidelines, than the old land use designation.
  - e. If the proposed amendment is to the comprehensive plan map, the subject site is consistent with the adopted description and locational criteria for the requested land use designation, and is physically suitable to accommodate the proposed designation, including but not limited to access, physical constraints, provision of utilities, and compatibility with surrounding designations and development patterns.

## **CONDITIONAL USE PERMIT SUBMITTAL REQUIREMENTS:**

The Planning and Zoning Commission may only approve the conditional use if the Commission finds that all the approval criteria are satisfied. Each standard must have a response in as much detail as it takes to explain how the project satisfies the standard. The burden of proof rests with the applicant.

1. The proposed use is consistent with the comprehensive plan and all applicable provisions of this title and applicable state and federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located, including any district-specific standards set forth in chapter 21.04;
3. The proposed use is consistent with any applicable use-specific standards set forth in chapter 21.05;
4. The site size, dimensions, shape, location, and topography are adequate for the needs of the proposed use and any mitigation needed to address potential impacts;
5. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
6. The proposed use is compatible with uses allowed on adjacent properties, in terms of its scale, site design, operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
7. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent feasible;
8. The proposed use is appropriately located with respect to the transportation system, including but not limited to existing and/or planned street designations and improvements, street capacity, access to collectors or arterials, connectivity, off-site parking impacts, transit availability, impacts on pedestrian, bicycle, and transit circulation, and safety for all modes; and
9. The proposed use is appropriately located with respect to existing and/or planned water supply, fire and police protection, wastewater disposal, stormwater disposal, and similar facilities and services.

## **SPECIFIC CONDITIONAL USE STANDARDS (AMC 21.05)**

Certain conditional uses have detailed standards that relate only to that type of conditional use. When there are detailed standards, the Planning and Zoning Commission may only approve the conditional use if the Commission finds that all general standards listed in the previous section and detailed standards listed for that conditional use in AMC 21.05 are satisfied. Each detailed standard must have a response in as much detail as it takes to explain how the project satisfies the standard. The burden of proof rests with the applicant.

## **COMPREHENSIVE PLANS THAT NEED DISCUSSION FOR EITHER APPLICATION:**

- [\*Anchorage 2020—Anchorage Bowl Comprehensive Plan\*](#)
- [\*Anchorage 2040 Land Use Plan\*](#)
- [\*West Anchorage District Plan\*](#)
- [\*Anchorage Wetlands Management Plan\*](#)



## **Attachment 3(a)**

**DEPARTMENT OF THE ARMY  
ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
REGULATORY DIVISION  
P.O. BOX 6898  
JBER, AK 99506-0898**

December 23, 2020

Regulatory Division  
POA-2020-00532

Renewable IPP, LLC  
Attention: Ms. Jenn Miller  
1570 Garden Street  
Anchorage, Alaska 99508

Dear Ms. Miller:

This is in response to your November 19, 2020, letter requesting an approved jurisdictional determination (AJD) for a parcel of land located within Latitude 61.155525° N., Longitude 149.916397° W.; in Anchorage, Alaska.

Based on our review of the information you provided and information available to us, we have determined that the subject parcel contains wetlands which are not waters of the United States (U.S.) under our regulatory jurisdiction. The wetlands on the subject property do not have a surface hydrologic connection to a traditional navigable water (TNW), and are therefore not considered a water of the U.S. Therefore, a Department of the Army (DA) permit is not required for any activities which may occur on the subject property.

A copy of the AJD form is enclosed and will be available at the following address: [www.poa.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations](http://www.poa.usace.army.mil/Missions/Regulatory/JurisdictionalDeterminations) under the above file number.

This jurisdictional determination does not establish any precedent with respect to any other jurisdictional determination under Section 404 of the Clean Water Act.

The wetlands on your parcel were reviewed pursuant to Section 404 of the Clean Water Act which requires that a DA permit be obtained for the placement or discharge of dredged and/or fill material into waters of the U.S., including wetlands, prior to conducting the work (33 U.S.C. 1344).

For regulatory purposes, the Corps of Engineers defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

This AJD is valid for a period of five years from the date listed on the AJD form, unless new information supporting a revision is provided to us before the expiration date. Also, enclosed is a Notification of Administrative Appeals Options and Process and Request for Appeal form regarding this approved jurisdictional determination (see section labeled "Approved Jurisdictional Determination").

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

Please contact me via email at: [Lucas.J.Byker@usace.army.mil](mailto:Lucas.J.Byker@usace.army.mil), by mail at the address above, by phone at (907)753-2760, or toll free from within Alaska at (800) 478-2712, if you have questions. For more information about the Regulatory Program, please visit our website at: [www.poa.usace.army.mil/Missions/Regulatory](http://www.poa.usace.army.mil/Missions/Regulatory).

Sincerely,

**BYKER.LUCAS.JO**  
**E.1385045790**

Digitally signed by  
BYKER.LUCAS.JOE.1385045790  
Date: 2020.12.23 11:00:12 -09'00'

Lucas J. Byker  
Regulatory Specialist

Enclosures

## Attachment 3(b)



U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE

### I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 12/14/2020

ORM Number: POA-2020-00532

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: Alaska City: Anchorage County/Parish/Borough: Anchorage Municipality

Center Coordinates of Review Area: Latitude 61.155525 Longitude 149.916397

### II. FINDINGS

**A. Summary:** Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- ☐ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

#### B. Rivers and Harbors Act of 1899 Section 10 (§ 10)<sup>2</sup>

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

#### C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): <sup>3</sup>				
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination	
N/A.	N/A.	N/A.	N/A.	

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
N/A.	N/A.	N/A.	N/A.	

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):				
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination	
N/A.	N/A.	N/A.	N/A.	

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination	
N/A.	N/A.	N/A.	N/A.	

<sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

<sup>3</sup> A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



**U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE**

**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Strawberry Bog	109	acre(s)	(b)(1) Non-adjacent wetland.	Strawberry Bog is physically separated from the nearest jurisdictional water (Campbell Creek) by an artificial structure (upland development) that does not allow for a direct hydrological surface connection. Strawberry Bog does not meet the definition of an adjacent wetland per 33 CFR 328.3(C)(1)(i-iv).

**III. SUPPORTING INFORMATION**

**A. Select/enter all resources** that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

☒ Information submitted by, or on behalf of, the applicant/consultant: [Renewable IPP, LLC](#)

This information [is](#) sufficient for purposes of this AJD.

Rationale: [N/A](#)

☒ Data sheets prepared by the Corps: [NRCS Soil Survey, Digital Globe Aerial Imagery](#)

☒ Photographs: [Aerial: Google Earth Aerial Imagery \(1996-2020\), Digital Globe Aerial Imagery \(2016-2020\)](#)

☐ Corps site visit(s) conducted on: [N/A](#)

☐ Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)

☐ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

☒ USDA NRCS Soil Survey: [Anchorage Area, Alaska \(AK 605\)](#)

☐ USFWS NWI maps: [N/A](#)

☐ USGS topographic maps: [N/A](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">Anchorage Municipality Streams Layer</a>

**B. Typical year assessment(s):** [The Antecedent Precipitation Tool \(APT\) was utilized to determine which aerial photographs were taken during typical or non-typical years. The Corps focused specifically on imagery that was taken during the wetter part of the year \(August through October\). Seven total images were taken of the review area during the identified months. Of those, the APT determined four were taken during typical years \(August 31, 2002; September 20, 2002; July 1, 2014; and September 5, 2020\), one was taken during a drier than typical year \(August 27, 2019\), and two were taken during a wetter than](#)

<sup>4</sup> Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

<sup>5</sup> Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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typical year (October 22, 2012, and September 26, 2017). None of these images show a direct hydrologic surface connection between Strawberry Bog and Campbell Creek, including those images taken in wetter than typical years. As there is not a hydrologic surface connection present during a wetter than typical year, during the wet season, it is not likely that a hydrologic surface connection is present at least once during a typical year.

**C. Additional comments to support AJD:** N/A