Corps Supplement, Attachment 1: Jurisdictional Determination (JD)
Submit the JD with APMAs for all new applications (New and Existing Operations)

Operator/Company Name:	
APMA:	Corps permit # (for this APMA):
Waterway:	Date:

A jurisdictional determination (JD) is a Corps procedure used to determine whether a Section 404, Clean Water Act permit is required for a project. A JD includes:

- *Identification of streams, open waters, wetlands and uplands on a site*
- *Identification of wetland type (forested, scrub-shrub, emergent, shallow open water)*
- *Determination that streams at your site connect with downstream navigable waters*
- *Determination that wetlands abut or are adjacent to streams connecting to navigable waters*

The Corps uses information submitted to conduct an "offsite", "preliminary JD". For a preliminary JD, the Corps uses photos and landscape information, including fire history and previous disturbance, to determine presence of wetlands at your site. Using aerial photos, the Corps interprets photo signatures of vegetation communities, soil profiles, and hydrology patterns to make a "best available information" determination concerning the presence of wetlands.

Landscape Information:

A history of fire in a watershed may influence the presence of wetlands at a site.
Has this watershed been burned by fire? YES ☐ NO ☐

If yes, when?

Previous mining activities may influence the presence of wetlands at a site.
Has your site been previously mined? YES ☐ NO ☐

- If yes, when?
- What methods were used?
- Was it reclaimed? _____
- Please identify any previously disturbed areas on a copy of your plans, or aerial photo.

Aerial Photo:

For a preliminary JD, please provide a recent aerial photo of your operation. Photos may be available from your land manager. Google or Bing photos may be acceptable, however images must be clear, sharp and reproducible. Images from Alaska Mapper and high altitude infrared photos are generally not acceptable. *Photos should be at the highest resolution available.*

- Please indicate the location of your operation on the photo.

- Please outline a projected 5 year footprint of your operation on the photo.

Questionnaire with onsite photos:

Is the stream at your site: ☐ Straight ☐ Meandering ☐ Braided ☐ Incised

Stream photos: Photos taken from at or near ground level provide details to support information in the aerial photos**.**

☐ Please provide site photograph(s) of the stream that show (1) the valley and landforms at your site, (2) streambank conditions, (3) upstream and downstream view of the stream from various locations proposed for mining, and (4) vegetation community types in the riparian and floodplain.

Wetlands: Wetlands are identified by vegetation, soils, and hydrology.

Vegetation: What vegetation communities are present at your site, in mined and unmined areas? (Check all that apply.)

☐ Stunted spruce	☐ Willow shrubs	☐ Sedge or cottongrass
☐ Other spruce	☐ Alder shrubs	☐ Shrubby tundra
☐ Cottonwood	☐ Birch	☐ Aspen
☐ Other		

Soils: What is the composition of native soils at your site? (Check all that are present.)

☐ Cobbles ☐ Gravel ☐ Sand ☐ Silt ☐ Clay

What is the depth of non-pay overburden? _____feet

☐ Organic material (muck or peat) _____feet	☐ None
☐ Gravel _____ feet	☐ Depth to bedrock _____ feet

☐ *Please provide site photos of the soil layers under each vegetation community. Soil layers are particularly important for black spruce and tundra communities. You will need to dig a hole with a bucket or shovel, and include an object for scale.*

Hydrology:
Do you have permafrost (i.e.: ice, frozen ground) at your site?

YES ☐ NO ☐ How deep is unfrozen material over permafrost? _____

Do you have? (Check all that apply)
☐ Old settling ponds that have naturalized
☐ Saturated soil (Wet)
☐ Water table within 12 inches of soil surface (Wetter)
☐ Standing water (Wettest)

Please sign to accept a preliminary JD. A preliminary JD may not be appealed, however, you may at any time provide additional information to be considered.

Name: Date**:**

Corps Supplement – Attachment 2
Mitigation Statement

Operator/Company Name:	
APMA:	Corps permit # (for this APMA):
Waterway:	Date:

Part 1: Avoidance Measures

These measures avoid impacts to wetlands and streams:

Are you working on a bench, or other area located at a distance from a stream? YES ☐ NO ☐

Is your project or a portion of your project located in uplands, or in a previously mined area, (for example, your camp, access road, or stockpiles) YES ☐ NO ☐

Can you conduct test drilling or other exploration ahead of mining, so as to mine only economic ground? YES ☐ NO ☐

If your project requires stream crossings, can it be accomplished with fewer crossings? YES ☐ NO ☐

Can you conduct some activities, such as mobilization or exploration, in winter? YES ☐ NO ☐

Can your project be accomplished without building a road? YES ☐ NO ☐

Can your project be accomplished without building a stream diversion? YES ☐ NO ☐

Based on the boxes that you checked, describe how you will avoid impacts to wetlands or streams:

Part 2: Minimization Measures

Most minimization measures are minor project modifications that satisfy the project purpose and need while maintaining or improving environmental quality. Examples are: reducing the scope and size of the project; changing construction methods, materials or timing; and, operation and maintenance practices, or other similar modifications.

Customary sequence:

Does your mine plan follow a customary sequence of activities, or phases, involving exploration, development, mining and reclamation? YES ☐ NO ☐

Erosion control:
Condition 2 of the GP requires that operations shall be managed to avoid erosion of fill material beyond the limits of your mine site into waters of the U.S.

Condition 2-b of the GP requires use of erosion control methods, consistent with standard construction practices, to be implemented and maintained in effective operating condition during all phases of mine operation, and during periods of shut down.

Have you considered how site specific conditions such as gradient (slope steepness), soil type (more erodible/less erodible), risk of landslide or slope failure once vegetation is removed, presence of permafrost and other factors, influence the risk for erosion off of your mine site? YES ☐ NO ☐

Please describe what you will do to manage erosion at your site:

Sediment control:
Condition 3-a of the GP requires that you use measures, consistent with standard construction practices, to manage water at your site to avoid sedimentation beyond the limits of mine site.

Please describe or sketch what you will do for sediment control at your site:

Riparian Area Management:
Condition 4 of the GP requires maintaining or restoring a vegetated riparian area next to streams. The riparian area width is 50 feet wide on anadromous fish streams and 25 feet wide on all other streams.

Have you contacted the Alaska Department of Fish & Game to confirm what type of stream is at your site? YES ☐ NO ☐

Person contacted:_____ Date:_____

What type of stream is at your site? Anadromous stream ☐ All other streams ☐

What riparian area width is needed at your site? 50 feet ☐ 25 feet ☐

How will you manage the riparian area at your site? Maintain ☐ Revegetate ☐

Have you considered: the types of vegetation present, potential for salvage, transplant or regrowth? Regional growing seasons and recovery rates? YES ☐ NO

Please describe or sketch what you will do to manage the riparian area at your site:

Stream channel diversions and relocations:
The GP includes several measures that can be used to minimize impacts to streams from mining.

- What is the length of the original channel? _____
- What is the length of the diversion or relocation? _____
- What is the difference in length between the original channel and the diversion or relocation? _____
- Can the diversion or relocation be constructed to the same length as the original channel? YES ☐ NO ☐
- If not, have you considered constructing grade control within the channel? YES ☐ NO ☐
- Can you utilize an abandoned channel? YES ☐ NO ☐
- Can you construct a channel relocation, rather than a diversion? YES ☐ NO ☐
- Condition 5-f of the GP requires that stream relocations satisfy requirements for floodplain connectivity, stream stability, and riparian revegetation. Will you be able to satisfy these conditions? YES ☐ NO ☐

Please describe what you will do to minimize impacts from your stream diversion or relocation:

Part 2: Minimization Measures - Restoration Plan for Aquatic Resources

Condition 7 of the GP describes several options for restoration of aquatic resources, including revegetation of non-wetland riparian areas, construction of swales, wetlands, or shallow open water areas, work on historically mined areas or any other project that you propose. Restoration proposals must be approved by the Corps.

- *Please attach your Restoration Plan to this Mitigation Statement. Your proposal should include a **Plan View** and **Cross Section,** with dimensions and location**,** and **a brief description** of your restoration project. Your plan will become a part of your permit. If you fail to provide this information, special conditions to restore aquatic resources may be added to your GP.*

Please describe what you will do for your Restoration Plan:

- **Part 3: Compensatory Mitigation** is not required under the GP, however, this section informs you of all options available. Check one option.

☐	Option A - Compensatory Mitigation is not being proposed for this project, because the avoidance and minimization measures described in this Mitigation Statement are appropriate and practicable to the scope and degree of the environmental impacts of the project.
☐	Option B – Permittee Responsible Mitigation will be conducted.
☐	Option C – Compensatory Mitigation will be addressed with either submittal of an In-Lieu Fee, or purchase of credits from an approved Mitigation Bank