

REPLY TO
ATTENTION OFDEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-0898

SEP 13 2005

Regulatory Branch
South Section
FOA-2004-1400-8Mr. Kevin Sorensen
Glacier Ridge Properties 1, LLC
Post Office Box 4136
Palmer, Alaska 99645-4136

Dear Mr. Sorensen:

This is in response to your August 30, 2004, request, received through the Matanuska-Susitna Borough Planning Department, regarding a jurisdictional determination for a parcel of land described as the River Bend Subdivision project, located within section 16, Township 17 North, Range 2 East, Seward Meridian, Palmer, Alaska, 61.5670° North Latitude and -149.0942° West Longitude.

Based on our review of the information you provided, information available to our office, and an on-site field inspection on June 1, 2005, we have determined that the subject parcel will not involve placement of dredged and/or fill material into waters of the U.S. under our regulatory jurisdiction. The wetlands in your project area are isolated, intrastate, non-navigable, and have no connection to interstate or foreign commerce. Therefore, pursuant to the federal guidance on the Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers, No. 99-1278 (January 9, 2001) ("SWANCC"), a DA permit is not required.

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

Your proposed project was 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.

-2-

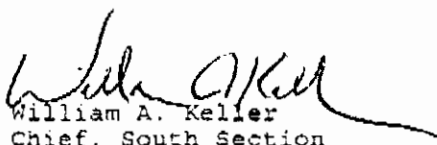
This approved jurisdictional determination is valid for a period of five (5) years from the date of this letter, unless new information supporting a revision is provided to us before the expiration date. If you want to appeal this approved jurisdictional determination, please contact us to request additional information on the Administrative Appeals Process.

Nothing in this letter shall be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect this work. For informational purposes, a copy of this letter is being sent to the agencies on the enclosed list.

Please take a moment to complete and return the enclosed questionnaire. Our interest is to see how we can continue to improve our service to you, our customer, and how best to achieve these improvements. You may also provide additional comments by telephone, e-mail, or in person. We appreciate your efforts and interest in evaluating the regulatory program.

We appreciate your cooperation with the Corps of Engineers' Regulatory Program. Please refer to file number POA-2004-1400-8 in future correspondence. If you have any questions concerning this determination, please contact Daniel L. Smith at the letterhead address, ATTN: CEPOA-CO-R-S, by phone at (907) 753-2212, by FAX at 753-5567, or by email at Daniel.L.Smith@poa02.usace.army.mil. For additional information about our Regulatory program, visit our web site at www.poa.usace.army.mil/reg.

Sincerely,


William A. Keller
Chief, South Section
Regulatory Branch

Enclosure

Anchorage
Copies Furnished:

Ms. Mel Langdon
Alaska Department of Environmental
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Anchorage, Alaska 99501-2617

Project Coordinator
Department of Natural Resources
Office of Project Management
and Permitting
Alaska Coastal Zone Management
550 West 7th Avenue, Suite 1650
Anchorage, Alaska 99501-3568

Ms. Ann Rappoport
Field Supervisor
U.S. Fish and Wildlife Service
Ecological Service Anchorage
605 West 4th Avenue, Room 62
Anchorage, Alaska 99501-2249

Supervisor
Western Alaska Ecological
National Marine Fisheries Service
222 West Seventh Avenue, # 43
Anchorage, Alaska 99513-7577

Ms. Judith Bittner
Department of Natural Resources
State Historic Preservation Office
550 W. 7th Avenue, Suite 1310
Anchorage, Alaska 99501-3565

Mr. Richard B. Thompson
State of Alaska
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Mr. Gary Prokosch
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Ms. Robin Willis
Statewide Services
Alaska Department of Fish and Game
333 Raspberry Road
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222 West Seventh Avenue, # 19
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Office of Habitat Management & Permitting
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555 W 7th Avenue, Suite 1430
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