



DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, ALASKA
P.O. BOX 6898
ELMENDORF AFB, ALASKA 99506-0898

REPLY TO
ATTENTION OF:

Regulatory Branch
POA-2005-1680-4

23 JAN 2007

Mr. Lee Baker
Harvest Properties, LLC.
Post Office Box 11411
Anchorage, AK 99511-1411

Dear Mr. Baker:

We have received your Preliminary Wetland Determination with a cover letter dated November 21, 2006. The Preliminary Wetland Determination supports the application of Harvest Properties, LLC for a Department of the Army (DA) permit to construct the roads and infrastructure for a residential subdivision on a 99.9 acre parcel. The proposed project is located in northern 1/2 of the southwest 1/4 and the northern 1/2 of the southwest 1/4 of the southeast 1/4 of Section 2, T. 11 N., R. 3 W., Seward Meridian, at Latitude 61.0667, Longitude -149.7570, in Anchorage, Alaska; Views at Prominence Subdivision; east of Goldenview Drive in Anchorage, Alaska. It has been assigned number POA-2005-1680-4, Little Rabbit Creek, which should be referred to in all correspondence with us.

The November submittal contains the additional field work I requested in two areas. Based on our review of the information you furnished in your preliminary wetland determination dated November 2006 and available to us and our October 12, 2006, site visit, we have determined that your proposed project would involve placement of fill material into waters of the United States (U.S.) under our regulatory jurisdiction. I plan to continue with the Corps' review of your application pending receipt of the information requested in our January 17, 2007, letter to you.

The Corps concurs with the wetland delineation in your November report with four exceptions. The four exceptions are sites A2, C2, C5, and F2. The following paragraphs describe the issues at each site and the Corps' decisions.

Site A2 is described as recently cleared of vegetation (see page 9, Data Form A2, and photograph on page B-2 which depicts a site recently hydroaxed). The site was sampled prior to the weeks of heavy rain and the soils were mucky peat that extended down to 11 inches and was saturated at 7 inches below ground surface. This description fits the definition of a Histic Epipedon, a hydric soil (Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Alaska Region). The vegetation, however, is not hydrophytic. In an instance such as this, the 1987 delineation manual directs you to sample an adjacent undisturbed site if it is likely to have the same vegetation as the site that was disturbed. To ensure that the eastern boundary of the wetland is drawn accurately, the undisturbed area adjacent to site A2 should be assessed. During the assessment, please verify that the fern identified in the species list is *Dryopteris dilatata* and not *Athyrium filix-femina* and that the spruce really is Sitka spruce and not white spruce as was found on adjacent properties.

Site C2 has strong soil and hydrology indicators. It has saturated mucky peat from 4-14" in depth; the peat is underlain by a restrictive layer. The vegetative Prevalence Index is calculated to be 3.1. This calculation relies on differentiating cover for several species that each cover between 1 and 6% of the total area. Given small changes in these minor vegetative components results in a score of 3.0; moreover, all species that have more than 20% coverage are FAC. The Corps considers this area a wetland.

Point C-5 is in the seep zone and has hydrophytic vegetation that is growing on 13 inches of peat overlaying a layer clay loam. The soils, if saturated, would be hydric; the fact it is in a seep zone makes it highly likely the soils are saturated for at least 14 continuous days in the growing season.

Point F-2 is near C-5; the site was sampled outside the growing season in response to the request from the Corps to sample for hydrological contributions. As a result, no data on vegetation were taken. The area had surface water over 13 inches of peat. The proximity of the site to C-5 and the likelihood that the area would have the same vegetation and would be saturated for at least 14 continuous days in the growing season supports the Corps' decision to identify the seep zone as a wetland.

This preliminary 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. For example, Site A2 needs to be revisited to verify its wetland status.

The preliminary jurisdictional determination is not appealable. If you wish, you may request an approved jurisdictional determination, which may be appealed, by contacting us for further instruction.

You may contact me at (907) 753-2712, toll free from within Alaska at (800) 478-2712, by email at maureen.mccrea@poa02.usace.army.mil, or by mail at the letterhead address, ATTN: CEPOA-CO-R-S, if you have questions. For additional information about our Regulatory Program, visit our web site at www.poa.usace.army.mil/reg.

Sincerely,



Maureen McCrea
Project Manager