DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM[1]
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): August 23, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CENAP-OP-R-2017-0533-24 Devey Scott 274 Running Water Court MO

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

The 0.60-acre residential property, located at 274 Running Water Court, approximately 1,500 feet northeast of the intersection of Running Water Court with Appalachian Road, is identified as Tax Parcel 36-00-10281-13-2. It was designated Lot 51 in the original residential subdivision development known as "Chestnut Creek," which was constructed circa 2000 It has an existing house, driveway, storage shed, maintained lawn and landscaping.

State: Pennsylvania County: Montgomery Municipality: Horsham Township
Center coordinates of site (lat/long in degree decimal format): Lat. 40.229271 °, Long. -75.193199 °
Name of nearest waterbody: Little Neshaminy Creek
Name of watershed or Hydrologic Unit Code (HUC): 02040201

- ☑ Check if map/diagram of review area is available upon request.
- ☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☐ Office (Desk) Determination. Date:
- ☑ Field Determination. Date(s): August 18, 2017

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are no** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☑ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Survey of property from original subdivision developer, prepared by Boucher and James, Incorporated; Sheet 1 of 1; dated 2/22/00, last revised 4/13/00; entitled "PLOT PLAN – LOT No. 51 (PHASE II) … CHESTNUT CREEK … PULTE HOME CORP. …"
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ☐ Office concurs with data sheets/delineation report.
  - ☐ Office does not concur with data sheets/delineation report.
- ☑ Data sheets prepared by the Corps: One Wetland Determination Data Form (from Eastern Mountains and Piedmont Regional Supplement to the Corps of Engineers Wetland Delineation Manual.
- ☐ U.S. Geological Survey Hydrologic Atlas:
  - ☐ USGS NHD data.
  - ☐ USGS 8 and 12 digit HUC maps.
- ☑ U.S. Geological Survey map(s). Cite scale & quad name: Ambler, PA (1:24000)
- ☑ USDA Natural Resources Conservation Service Soil Survey. Citation: Montgomery County, PA (1967, Sheet 30)
- ☑ National wetlands inventory map(s). Cite name: Ambler, PA
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: N/A (National Geodectic Vertical Datum of 1929)
- ☑ Photographs: ☑ Aerial (Name & Date): Google Earth (multiple years)
  - ☐ or ☑ Other (Name & Date): Ground photos by this office August 18, 2017
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☑ Other information (please specify): See Memorandum in file with details and data form.

[1] This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

Two separate Corps permits have been issued for the original construction of the residential subdivision (in 1996 and 1998, with construction circa 2000). A delineation report (from 1989) was included in the 1996 application package, but no JD was included with the permit that was issued.

The referenced delineation report from 1989 and associated wetland survey showed a narrow finger of wetland extending up-slope from a broad wetland area contiguous with an unnamed tributary to Little Neshaminy Creek. The very upper tip of this feature extended onto the subject property (Lot 51 of the development). This "tip" has remained un-filled and un-graded in the center of the front lawn. However, it is no longer contiguous with any down-slope wetlands, as there is now a maintained storm water easement on the west side of the lot in question (buried pipes and access to a storm water basin behind the property).

The lot has been completely re-graded as part of the housing development, with the exception of a small (roughly 10 by 20 feet) area in the front yard. The ground surface in this area does not appear to have been graded. How the current surface (and surface soil) compares with pre-development conditions is unknown. All the grading for the housing development, including collection of surface water run-off, has resulted in the re-routing of storm water to the street drains, collection pipes and storm water basins. As such, virtually none of the surface water that formerly drained to the top of this swale goes there any longer.

A single plot was taken for the area in question. Given that a 30-foot plot radius would extend well outside the plant community and into previously graded and maintained lawn and landscaping, percentages for vegetation coverage were based on a percentage of the roughly 10 by 20 foot area. The location for the soil sample was near the center of the area, where the vegetation was not too thick.

The vegetation is a mix of what appear to be planted ornamental species along with some that naturally colonized the area. There was a single multi-stemmed spreading crab apple tree which dominated the northwestern (lower) end of the area, along with some large grass-like ornamental vegetation around the edges. At the other (southwestern, or upper) end, there is a mix of various shrubs (along with more of the grass-like ornamental plants). There was a single Russian olive tree, a single multiflora rose, a small black cherry, and a few gray dogwoods. The dogwoods were the only dominant vegetation that were "FAC" or "wetter."

A shovel pit was dug to a depth of about 10 inches, with difficulty digging any deeper due to a restrictive layer at that depth. The surface soil (upper 4 inches) was dark brown (2.5 Y 3/1), with no redoximorphic features. From 4 to 6 inches, it transitioned to 2.5 Y 5/4 with about 2 percent high chroma mottles. At about 10 inches, there is a gray, clayey hard pan, 2.5 Y 4/2, with common, prominent high chroma mottles.

There was no evidence of hydrology (primary or secondary indicators). The soil was not saturated, or even very moist, at any depth. Based on data from the National Weather Service web site for Philadelphia (approximately 24 miles to the south) and Allentown (approximately 33 miles to the north), those locations have had well-above normal rainfall for the first half of August as well as since the beginning of June. Philadelphia had 3 inches of rain, and Allentown 5 inches, from 01 to 17 August, with 10.2 and 18.5 inches, respectfully, since 01 June. The site in question is likely somewhere in between these amounts, which is well above normal.

Based on the site inspection and current post-development conditions, including a lack of any indicators of an existing wetland or water course on the property, including the remnant feature previously delineated as wetland in 1989, it was determined that the entire 0.60-acre property is uplands.