



**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): 8/24/2020

ORM Number: NAP-2013-00157-95

Associated JDs: NAP-2013-00157-23 (Preliminary JD) issued 27 June 2013.

Review Area Location<sup>1</sup>: State/Territory: Pennsylvania City: Gilbertsville/New Hanover Township

County/Parish/Borough: Montgomery

Center Coordinates of Review Area: Latitude 40.278805°N Longitude -75.591687°W

**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.	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.	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.	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.	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.



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**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	
Feature A	0.105 acres(s)	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Feature A on the enclosed drawing E-1 was field-determined by USACE on 21 August 2020 to be an ephemeral drainage swale feature, experiencing flow only in direct response to precipitation.	
Feature B	0.006 acres(s)	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Feature B on the enclosed drawing E-1 was field-determined by USACE on 21 August 2020 to be an ephemeral stream feature, experiencing flow only in direct response to precipitation.	
Feature C	0.094 acre(s)	(b)(1) Non-adjacent wetland.	Feature C was field-determined by USACE on 21 August 2020 to be a freshwater "non-adjacent wetland". Rationale for this determination is the absence of a hydrological connection between Feature C and Waters of the U.S. as per the definition of "adjacent wetland" in the 22 June 2020 Navigable Waters Protection Rule.	

**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: [Drawing E-1, entitled "NAP-2013-00157-95, dated 24 August 2020; and data sheets prepared on 07 June 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

☐ Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

☒ Photographs: [Aerial and Other: Site Photos dated 07 June 2020 and 21 August 2020.](#)

☒ Corps site visit(s) conducted on: [21 August 2020 by Robert Youhas, Biologist, CENAP-Regulatory Branch, Applications Section II.](#)

☒ Previous Jurisdictional Determinations (AJDs or PJDs): [NAP-2013-00157-23 Preliminary JD](#)

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

☒ USDA NRCS Soil Survey: [Montgomery County, PA Soil Survey Sheet #18.](#)

☒ USFWS NWI maps: [Sassamansville, PA Quadrangle.](#)

☒ USGS topographic maps: [Sassamansville, PA Quadrangle.](#)

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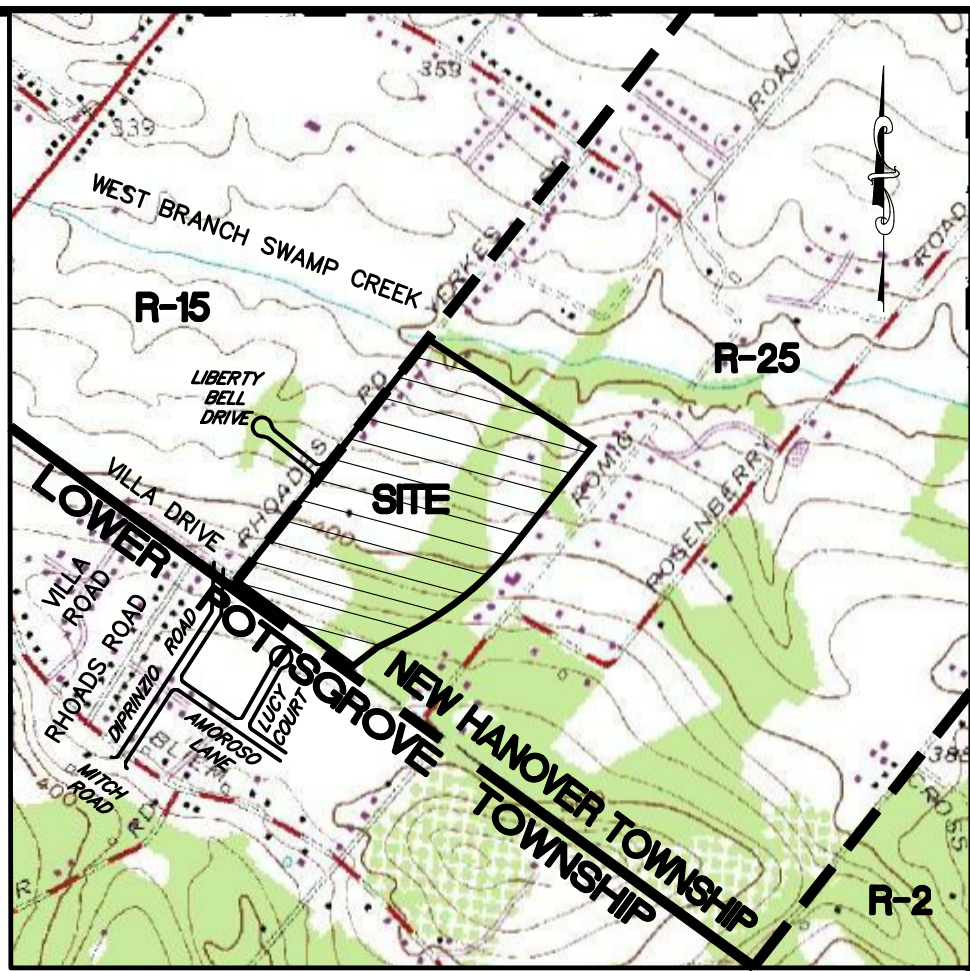
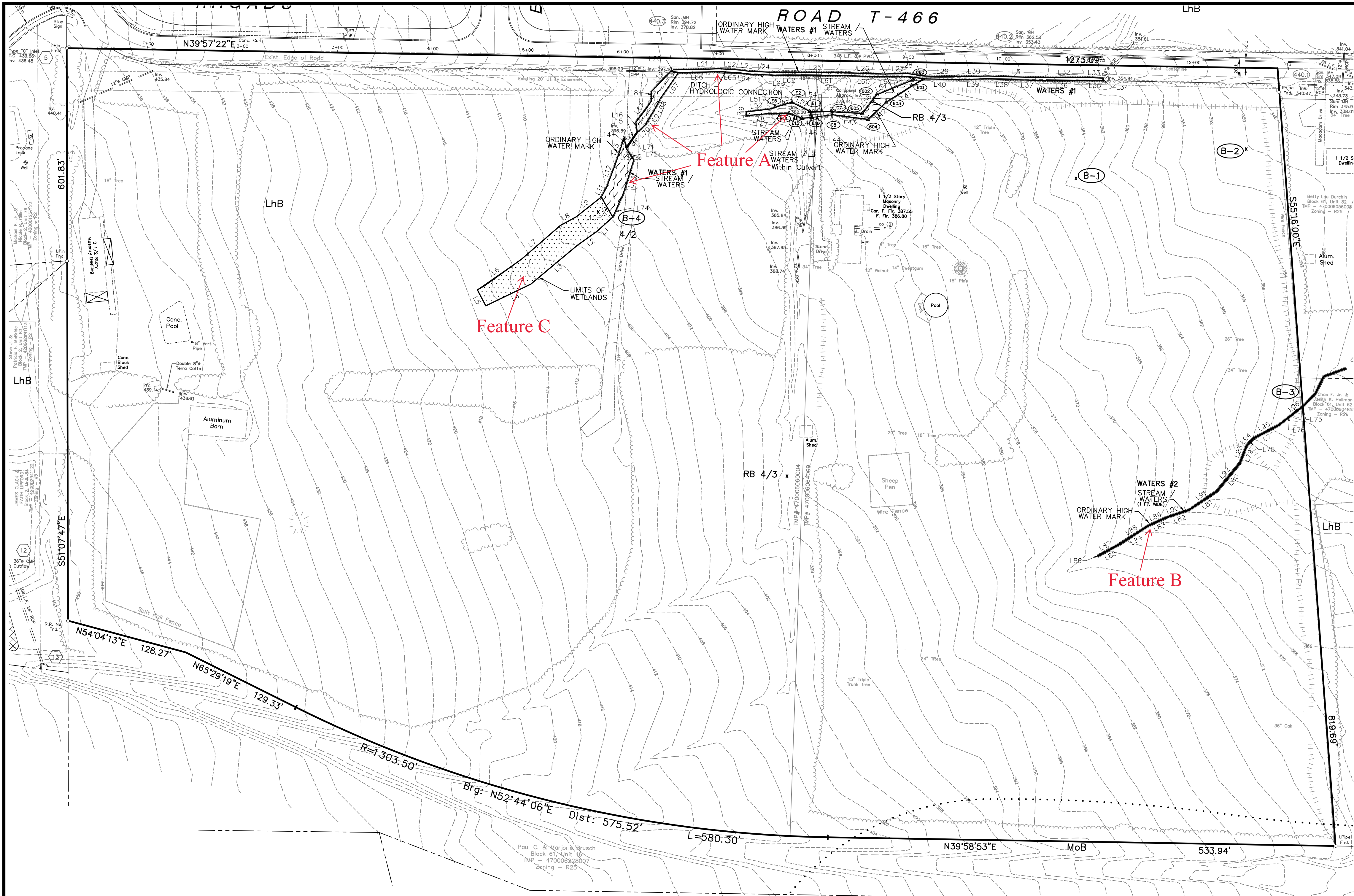
**Other data sources used to aid in this determination:**

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="#">N/A.</a>

**B. Typical year assessment(s):** [N/A.](#)

**C. Additional comments to support AJD:** [N/A.](#)





LOCATION MAP  
SCALE: 1" = 800'

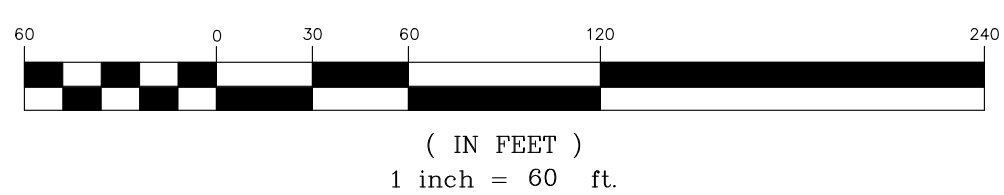
- GENERAL NOTES:**
1. TITLE LINE AND TOPOGRAPHICAL INFORMATION SHOWN HEREON ARE AS DERIVED FROM A PLAN ENTITLED IN PART "EXISTING FEATURES/SURVEY PLAN AS PART OF WESTWOOD/MAGUIRE" AS PREPARED BY STOUT, TACCONELLI & ASSOCIATES, INC. (PROJECT NO. 3673, DRAWING NO. 3673EF) DATED DECEMBER 10, 2003 LAST REVISED AUGUST 19, 2005, SIGNED AND SEALED BY CLIFFORD T. STOUT PLS NO. 282-A.
  2. ELEVATION INFORMATION AS SHOWN HEREON IS BASED ON NATIONAL GEODETIC VERTICAL DATUM AS DEPICTED ON THE F.E.M.A. FLOODWAY MAP FOR NEW HANOVER TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA COMMUNITY PANEL NO. 421914.0008, NOTED AS RM-10, A SQUARE CUT IN SOUTHEAST WINGWALL OF SANATOJA ROAD BRIDGE OVER THE WEST BRANCH SWAMP CREEK ELEVATION 259.13.
  3. FIELD SURVEYED CONTOUR DATA AS SHOWN HEREON HAS BEEN PREPARED BY STOUT, TACCONELLI & ASSOCIATES, INC.
  4. A SITE INVESTIGATION WAS PERFORMED BY NOVA CONSULTANTS IN JAN. 2013 AND SUBSEQUENTLY WITH THE ARMY CORPS IN MARCH 2013 TO VERIFY THE EXISTENCE OF WETLANDS ON SITE. THE WETLANDS/ WATERS SHOWN HEREON ARE TAKEN AND SHOWN AS DEPICTED ON A PLAN PROVIDED BY NOVA CONSULTANTS IN MARCH 2013. MEETS AND BOUNDS SHOWN ARE APPROXIMATE AS SHOWN ON SAID PLAN. FIELD INVESTIGATION WAS BASED ON U.S. ARMY CORPS. OF ENGINEERS GUIDELINES.
  5. ALL EXISTING STRUCTURES ARE TO BE REMOVED. ALL EXISTING UTILITIES WITHIN LIMIT OF DISTURBANCE TO BE REMOVED. ALL EXISTING WELLS, UTILITIES, SANITARY SEWER LINES AND SEPTIC AREAS ASSOCIATED WITH THE EXISTING STRUCTURES MUST BE REMOVED IN ACCORDANCE WITH ALL APPLICABLE GOVERNMENT REGULATIONS.
  6. NO CERTIFICATION IS MADE BY VAN CLEEF ENGINEERING ASSOCIATES AS TO THE POSITION OF ANY UTILITIES OR TO THE COMPLETENESS OF ANY UTILITIES SHOWN. ALL CONTRACTORS WORKING ON THIS SITE SHALL COMPLY WITH THE REQUIREMENTS OF ACT 187 OF 1996 (UNDERGROUND UTILITY LINE PROTECTION LAW). STOUT, TACCONELLI & ASSOCIATES, INC. HAS REGISTERED THIS SITE WITH THE PA ONE-CALL SYSTEM (SERIAL NO. 1566890). THE FOLLOWING IS A LIST OF REGISTERED UTILITY USERS FOR NEW HANOVER TOWNSHIP:

- |   |  |
|---|--|
| SUPERIOR WATER COMPANY, INC.<br>MICHAEL GAMBONE (PRESIDENT)<br>1030 W. GERMANTOWN PIKE, P.O. BOX 223<br>FAIRVIEW VILLAGE, PA. 19409<br>215-538-8255         | MOBIL PIPELINE COMPANY<br>EUGENE P. GRAVES (DIVISION CLAIMS AGENT)<br>5140 PATTON ST., P.O. BOX 2135<br>HARRISBURG, PA. 17105<br>717-564-1800                            |
| ARC PIPELINE COMPANY<br>R. N. WARREN (DISTRICT MANAGER)<br>FRITZTOWN ROAD, P.O. BOX 2086<br>SINKING SPRING, PA. 19608<br>215-678-8005                       | MOBIL PIPELINE COMPANY<br>JAMES D. DROCK (COORDINATOR)<br>P.O. BOX 92468, ROCHESTER, N.Y. 14692<br>716-427-7510  |
| BELL TELEPHONE CO. OF PA.<br>ASSOCIATE MANAGER-DESIGN<br>103 LANCASTER AVENUE, READING, PA. 19611<br>1-800-242-1776   | U.G.I. CORPORATION<br>M. A. FINK (AREA DISTRIBUTION ENGINEER)<br>225 MORGANTOWN ROAD, READING, PA. 19611<br>215-375-4441   |
| CONESTOGA TELEPHONE & TELEGRAPH CO.<br>FLOYD R. KILP (GENERAL MANAGER)<br>202 EAST FIRST STREET, BIRDSTOWN, PA.<br>215-582-5711                             | AMERICAN TELEPHONE & TELEGRAPH COMPANY<br>ROBERT S. WELLS (OPERATIONS MANAGER)<br>WALTER A. ASKEITH (SUPERVISOR, DIVISION DISTRIB. ENG.)<br>215-328-6604 OR 215-687-7512 |
| CONESTOGA TELEPHONE & TELEGRAPH CO.<br>ROBERT E. MEYERS (CONSTRUCTION MGR.)<br>202 EAST FIRST STREET, BIRDSTOWN, PA.<br>215-582-6239                        | METROPOLITAN EDISON COMPANY<br>P.O. BOX 542, READING, PA. 19640<br>215-929-0771 or 800-545-7741  |
| SUBURBAN CABLE TV<br>ROBERT LAWRENCE (GENERAL MANAGER)<br>1200 HIGH STREET, POTTSTOWN, PA. 19404<br>215-323-6400  | METROPOLITAN EDISON COMPANY<br>2800 POTTSTOWN PIKE, READING, PA. 19640<br>215-921-6078   |
| ATLANTIC PIPELINE CORPORATION<br>L. A. CHRISTIAN (VICE PRES. & MGR. OF OPER.)<br>P.O. BOX 2086, SINKING SPRING, PA. 19608<br>215-678-8005 or 1-800-242-1776 | U.G.I. - GAS UTILITY DIVISION<br>VAN B. SULLMAN (DIRECTOR-ENGINEERING)<br>225 MORGANTOWN ROAD, READING, PA. 19611<br>215-375-4441, 800-242-1776                          |
| NEW HANOVER TOWNSHIP AUTHORITY<br>TAMARA D. TWAROGSKI (ADMINISTRATOR)<br>2943 N. CHARLOTTE STREET<br>GILBERTSVILLE, PA. 19525<br>215-326-6203               | PENNSYLVANIA DEPT. OF TRANSPORTATION<br>MICHAEL C. DANTONIO (SUPERINTENDENT)<br>P.O. BOX 350, NORRISTOWN, PA. 19401<br>215-275-2368                                      |
| ATLANTIC PIPELINE CORPORATION<br>WILLIAM MAXEE (SUPERVISOR)<br>144 NEW CONCORD ROAD, ASTON, PA. 19014<br>215-494-9200                                       | SUN PIPE LINE COMPANY<br>TEN PENN. CENTER - 26th FLOOR<br>1801 MARKET STREET<br>PHILADELPHIA, PA. 19103-1699<br>215-977-3463   |

**SITE DATA AND RECORD INFORMATION:**

1. SUBJECT TRACT MAY BE IDENTIFIED BY MONTGOMERY COUNTY TAX ASSESSMENT INFORMATION AS FOLLOWS:  
NEW HANOVER TOWNSHIP  
BLOCK 61, UNIT 18  
(PARCEL NO. 47006060004)
2. RECORDED DEED DATA IS AS FOLLOWS:  
AS RECORDED IN THE OFFICE FOR THE RECORDING OF DEEDS, ETC. IN AND FOR THE COUNTY OF MONTGOMERY AT NORRISTOWN, PENNSYLVANIA.  
BLOCK 61, UNIT 18  
DEED BOOK 5057, PAGE 310  
DEED DATED SEPTEMBER 30, 1993  
GRANTOR: ESTATE OF MARIE W. LANG  
GRANTEE: DAVID A. & BARBARA WESTWOOD  
GRANTOR: ROBERT C. & MARIE E. WILLIAMS  
GRANTEE: DAVID A. & BARBARA WESTWOOD  
MAUREN MAGUIRE  
POTTSTOWN, PA. 19464
3. NAMES AND ADDRESSES OF THE OWNERS OF THE SUBJECT TRACT:  
BLOCK 61, UNIT 18  
DAVID A. & BARBARA WESTWOOD  
2444 RHODAS ROAD  
POTTSTOWN, PA. 19464
4. NAME AND ADDRESS OF THE EQUITABLE OWNER OF THE SUBJECT TRACT:  
HERITAGE BUILDING GROUP  
2300 YORK ROAD  
JAMISON, PA. 18929
5. AREA STATISTICS:  
UNIT 18 (WESTWOOD): TOTAL TRACT AREA = 9.82 AC.  
UNIT 21 (MAGUIRE): TOTAL TRACT AREA = 12.37 AC.  
TOTAL COMBINED TRACT AREA = 22.90 AC.

**GRAPHIC SCALE**



**SOILS DATA:**

DATA OBTAINED FROM SOIL SURVEY OF MONTGOMERY COUNTY, PENNSYLVANIA, ISSUED FEBRUARY 2009.  
LhB - LEHIGH SILT LOAM, 3 TO 8 PERCENT SLOPES  
MoB - MOUNT LUCAS SILT LOAM, 3 TO 8 PERCENT SLOPES.

Feature A = 0.105 acres

Feature B = 0.006 acres

Feature C = 0.094 acres

Feature A		
Line #	Direction	Length
L11	N22° 06' 15"W	11.26'
L12	N30° 10' 58"W	27.81'
L13	N32° 49' 32"W	28.69'
L14	S58° 30' 25"E	11.52'
L15	N16° 23' 50"W	21.09'
L16	N59° 26' 02"W	9.65'
L17	N14° 45' 24"W	27.49'
L18	N48° 55' 23"W	10.33'
L19	N7° 19' 37"W	29.43'
L20	N11° 24' 28"E	2.98'
L21	N37° 35' 24"E	47.99'
L22	N42° 32' 06"E	22.34'
L23	N47° 04' 36"E	9.64'
L24	N41° 21' 32"E	27.83'
L25	N39° 13' 53"E	61.36'
L26	N40° 37' 18"E	51.50'
L27	N37° 51' 30"E	25.61'
L28	N47° 09' 21"E	19.13'
L29	N39° 51' 39"E	35.35'
L30	N37° 49' 05"E	30.61'

Feature A		
Line #	Direction	Length
L31	N40° 35' 36"E	55.19'
L32	N38° 57' 42"E	45.95'
L33	N41° 02' 32"E	19.84'
L34	S52° 34' 16"E	2.47'
L35	S39° 30' 37"W	19.89'
L36	S38° 57' 46"W	46.01'
L37	S40° 15' 29"W	27.51'
L38	S40° 55' 34"W	27.64'
L39	S37° 49' 05"W	30.58'
L40	S39° 51' 39"W	35.59'
L41	S6° 15' 57"W	31.64'
L42	S4° 12' 58"E	26.58'
L43	S46° 22' 03"W	37.58'
L44	S31° 25' 14"W	21.81'
L45	S34° 36' 03"W	10.83'
L46	S61° 29' 26"W	14.42'
L47	S16° 07' 12"E	34.32'
L48	S33° 52' 46"W	24.36'
L49	N49° 57' 54"W	3.92'
L50	N32° 00' 55"E	24.98'

Feature A		
Line #	Direction	Length
L51	N21° 25' 37"E	15.89'
L52	N23° 23' 19"E	8.31'
L53	N66° 06' 47"E	20.76'
L54	N40° 08' 12"E	23.27'
L55	N42° 08' 52"E	32.56'
L56	N13° 54' 04"W	24.61'
L57	N16° 39' 28"E	43.37'
L58	S58° 58' 25"W	8.39'
L59	S37° 49' 05"W	25.46'
L60	S40° 37' 19"W	51.52'
L61	S39° 26' 11"W	30.89'
L62	S39° 01' 24"W	30.50'
L63	S41° 21' 32"W	28.04'
L64	S47° 04' 36"W	9.67'
L65	S42° 32' 06"W	22.06'
L66	S37° 47' 46"W	42.53'
L67	S16° 07' 12"E	34.32'
L68	S23° 49' 17"E	12.24'
L69	S19° 25' 16"E	18.78'
L70	S4° 48' 34"E	10.85'

Feature A		
Line #	Direction	Length
L71	S17° 11' 03"E	21.41'
L72	S84° 25' 04"E	13.91'
L73	S33° 44' 51"E	37.15'
L74	S26° 48' 41"E	26.96'
L10	N81° 06' 04"W	24.25'

- LEGEND**
- EXISTING CONTOUR
  - EXISTING WOODLANDS
  - EXISTING CURB TO REMAIN
  - EXISTING STORM SEWER
  - EXISTING SANITARY SEWER
  - EXISTING WATER MAIN
  - EXISTING ELECTRIC
  - EXISTING TREE (SURVEY)
  - DENOTES STREAM / WATERS
  - DENOTES WETLANDS
  - ORDINARY HIGH WATER MARK
  - EXISTING TREE TO BE REMOVED
  - R-15
  - R-25
  - ZONING BOUNDARY
  - LhB
  - MoB
  - SOILS DELINEATION LINE

E-1 NAP-2013-00157-95 24 August 2020

DATE:	2/01/13
SCALE:	1"=60'
DESIGNED BY:	BSF
DRAWN BY:	GDM
CHECKED BY:	BSF
JOB NO.	04-4-NHT
BY:	
BY:	
BRIAN S. FOCHT, PA PE, 056961	



4 WELLINGTON BLVD., WYOMISSING, PA. 19610  
EMAIL: VCEPA@VCEA.ORG WEB: WWW.VCEA.ORG  
PHONE (610) 670-6630 FAX (610) 670-4603

**WETLAND PLAN**  
FOR  
**WESTWOOD / MAGUIRE TRACT**  
SITUATED IN  
**NEW HANOVER TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**