



**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): 6/25/2020
 ORM Number: CENAP-OP-R-2019-01187-86 Alliance Ventures LLC East Second Street
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Pennsylvania City: Eddystone County/Parish/Borough: Delaware
 Center Coordinates of Review Area: Latitude 39.856688 Longitude -75.331973

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)²

§ 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): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
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.

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.

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.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² 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.

³ 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)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1	0.50 acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	The recommendation of the U.S. Army Corps of Engineers Philadelphia District, Regulatory Branch is to define the Phragmites-dominated freshwater wetland in question under 33 CFR Section 328.3(b)(9).

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: [Plan prepared by BOHLER, dated 2/11/2020, revised 4/28/2020, entitled “Exhibit Plan”, Sheet EX-8.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The delineation report and approved plan are representative of what is occurring on the project site.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial and Other: “Photograph Location Plan”, dated 11/13/19 and “Photo No. 1 through 6”, undated.](#)
- Corps site visit(s) conducted on: [12/16/2019, 1/31/2020, 2/10/2020](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [“Custom Soil Resource Report Soil Map”, Scale 1:4,590](#)
- USFWS NWI maps: [“National Wetlands Inventory Map”, October 3, 2019](#)
- USGS topographic maps: [“Project Site Location Map”, Bridgeport, New Jersey – Pennsylvania, Scale 1:24000](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.

⁴ 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.

⁵ 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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Data Source (select)	Name and/or date and other relevant information
Other NOAA data (specify)	"U.S. Coast and Geodetic Survey Chester Quadrangle Map Circa. 1894"
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
FEMA/FIRM maps	"National Flood Hazard Layer FIRMette", Dated 10/1/2019, Scale 1:6,000
Other NOAA data (specify)	"U.S. Coast and Geodetic Survey Bridgeport Quadrangle Map Circa. 1944"
Other NOAA data (specify)	"U.S. Coast and Geodetic Survey Bridgeport Quadrangle Map Circa. 1953"
Other NOAA data (specify)	"U.S. Coast and Geodetic Survey Bridgeport Quadrangle Map Circa. 1967"
Other NOAA data (specify)	"U.S. Coast and Geodetic Survey Bridgeport Quadrangle Map Present Day"

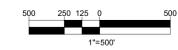
B. Typical year assessment(s): N/A

C. Additional comments to support AJD: The Corps believes the wetland in question meets the above referenced definition of an excluded water for several reasons.

1. The site has been used since the 1940s for a number of different reasons. Fill material was placed on site in order to place rail road tracks in order to transport goods from ships from the Delaware River to upland facilities. Additional fill was placed on site to build up the shoreline. We assume this fill was placed here to stop the tide from flooding the factory buildings. During the site visits, the Corps identified small areas of fill throughout the site that looked to be discharged recently due to lack of vegetation growing on the piles. For these reasons, the Corps does not define this property as abandoned.
2. The wetland has a perched water table due to the construction activities completed in the past. Without the layer of asphalt, track ballast, and concrete, the area would not be holding water and would be considered an upland area.
3. There is no evidence of the wetland in question having any groundwater connection or tidal connection to the Delaware River, leading the Corps to believe that the water source for the wetland in question is strictly stormwater runoff.

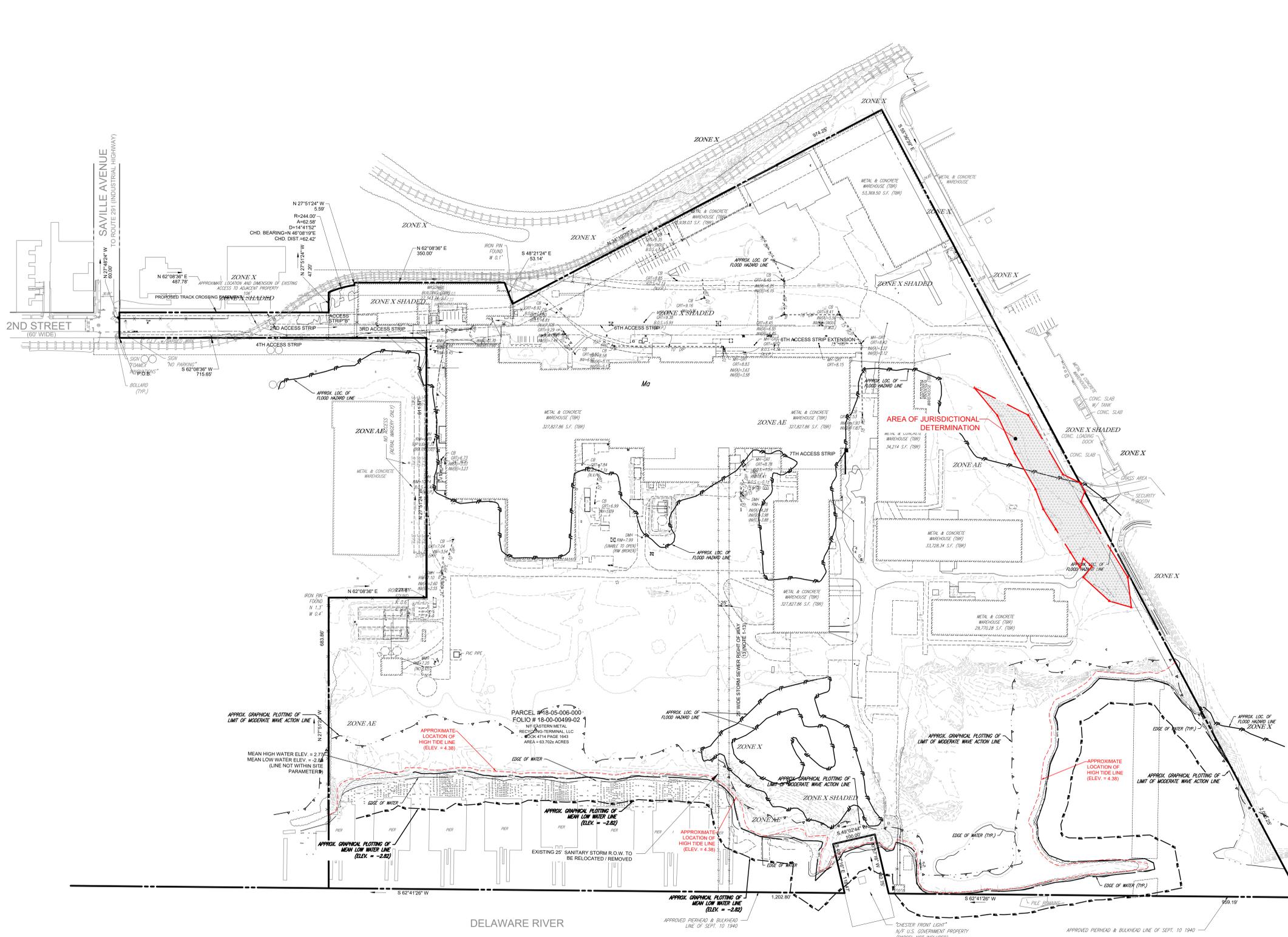


LOCATION MAP



BOHLER
 SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING
 PROGRAM MANAGEMENT
 LANDSCAPE ARCHITECTURE
 PERMITTING SERVICES
 TRANSPORTATION SERVICES

REVISIONS				
REV	DATE	COMMENT	DESIGNED BY	CHECKED BY
1	04-28-20	REVISED PER ACCE COMMENTS.	PA	CD



GENERAL NOTES

- THIS PLAN REFERENCES DOCUMENTS AND INFORMATION BY:
 - A) BOUNDARY & TOPOGRAPHIC SURVEY CONTROL POINT ASSOCIATES, INC. 1600 MANOR DRIVE, SUITE 100 CHALFONTE, PA 18914 PREPARED FOR: ALLIANCE HSP FILE NO.: 02-180206-00 DATED: 12-17-2018 LAST REVISED: 05-31-2019
 - B) ALTANSPTS (2016) LAND SURVEY PREPARED FOR: 1500 EAST SECOND STREET PREPARED BY: TAYLOR WISEMAN & TAYLOR DATED: JULY 20, 2018 PROJECT NO.: 2018-03070.6002-SUR
- THIS PLAN WAS PREPARED STRICTLY BASED UPON INFORMATION IDENTIFIED ABOVE.
- THE PLAN REPRESENTED HEREIN IDENTIFIES A DESIGN CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE OWNER COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND ISSUES. THE FEASIBILITY WITH RESPECT TO OBTAINING LOCAL, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS ARE NOT WARRANTED AND CAN ONLY BE ASSESSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCUREMENT OF JURISDICTIONAL APPROVALS.
- THIS PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED TO OUR OFFICE AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE AND MUST BE UPDATED UPON PERFORMANCE OF ADDITIONAL DUE DILIGENCE.
- ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), BASED ON GPS OBSERVATIONS UTILIZING PROPELLER AEROPONTS PROCESSED WITH THE PROPELLER NETWORK CORRECTION.
 - TEMPORARY BENCH MARKS SET:
 - TBM-A: MAG NAIL SET IN ASPHALT, ELEVATION= 12.35
 - TBM-B: MAG NAIL SET IN ASPHALT, ELEVATION= 9.56
- PRIOR TO CONSTRUCTION IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THAT THE BENCHMARKS ILLUSTRATED ON THIS SKETCH HAVE NOT BEEN DISTURBED AND THEIR ELEVATIONS HAVE BEEN CONFIRMED. ANY CONFLICTS MUST BE REPORTED PRIOR TO CONSTRUCTION.
- MEAN HIGH WATER LINE IS SHOWN GRAPHICALLY AND THE EXACT LOCATION MAY DIFFER FROM WHAT IS SHOWN ON THE SURVEY. ELEVATIONS STATED BELOW ARE BASED ON TIDAL BENCHMARK DESIGNATION H 10 RESET 1963 (PID JU0780) NAVD ELEV.=7.80 WITH CONVERSION DATA PUBLISHED BY THE U.S. DEPARTMENT OF COMMERCE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) FOR STATION 8540433, MARCUS HOOK, PA.
 - MEAN HIGH WATER ELEV. = 2.77
 - MEAN LOW WATER ELEV. = -2.82
- PER CONTROL POINT ASSOCIATES, INC. ERROR OF CLOSURE REPORT DATED 09/06/2019, ERROR OF CLOSURE = 0.0029

LEGEND

⊙	EXISTING SANITARY MANHOLE	⊙	EXISTING SANITARY MANHOLE TO BE REMOVED
⊙	EXISTING STORM SEWER MANHOLE	⊙	EXISTING STORM SEWER MANHOLE TO BE REMOVED
⊙	EXISTING INLET	⊙	EXISTING INLET TO BE REMOVED
⊙	EXISTING WELL	⊙	EXISTING WELL TO BE REMOVED
⊙	EXISTING GAS VALVE	⊙	EXISTING GAS VALVE TO BE REMOVED
⊙	EXISTING WATER VALVE	⊙	EXISTING WATER VALVE TO BE REMOVED
⊙	EXISTING UTILITY POLE	⊙	EXISTING UTILITY POLE TO BE REMOVED
⊙	EXISTING UTILITY POLE W LIGHT	⊙	EXISTING UTILITY POLE W LIGHT TO BE REMOVED
⊙	EXISTING LIGHT POLE	⊙	EXISTING LIGHT POLE TO BE REMOVED
⊙	EXISTING SIGN	⊙	EXISTING SIGN TO BE REMOVED
⊙	CHAIN LINK FENCE	⊙	EXISTING TREES TO BE REMOVED
⊙	D.E.P.	⊙	
⊙	D.E.P.	⊙	
⊙	LANDSCAPED AREA TO BE REMOVED	⊙	
⊙	EXISTING TREES	⊙	

LINE LEGEND

---	EXISTING PROPERTY BOUNDARY
---	EXISTING EDGE OF WATER
---	EXISTING FLOODPLAIN
---	MEAN HIGH WATER LINE
---	MEAN LOW WATER LINE
---	LIMIT OF MODERATE WAVE ACTION
---	PROPOSED LIMIT OF OBSTRUCTION
---	EXISTING CONTOUR
---	EXISTING PADDA CONTOUR

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THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT NO.: PP180623
 DRAWN BY: DL
 CHECKED BY: CD
 DATE: 02-11-2020
 CAD I.D.: PP180623 ACCE EXHIBIT (BASE7)

JURISDICTION DETERMINATION EXHIBIT

FOR
ALLIANCE HSP EDDYSTONE WAREHOUSE, LLC

PROPOSED INDUSTRIAL DEVELOPMENT

1500 E. 2ND STREET
 EDDYSTONE BOROUGH
 DELAWARE COUNTY, PA

BOHLER

1515 MARKET STREET, SUITE 920
 PHILADELPHIA, PA 19102
 Phone: (267) 402-3400
 Fax: (267) 402-3401
 www.BohlerEngineering.com

C. BROWN

PROFESSIONAL ENGINEER
 PENNSYLVANIA LICENSE NO. PE078317
 DELAWARE LICENSE NO. 18093
 NEW JERSEY LICENSE NO. 246109941400

SHEET TITLE:
EXHIBIT PLAN

SHEET NUMBER:
EX-8

REVISION 1 - 04-28-20

