



**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): 9/25/2020

ORM Number: NAP-2020-00626-95

Associated JDs: N/A.

Review Area Location¹: State/Territory: Pennsylvania City: Pennsburg

County/Parish/Borough: Montgomery

Center Coordinates of Review Area: Latitude 40.388373°N Longitude -75.499574°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)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
Stream #1.	840.0	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.

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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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	
Wetland #1	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland #1 directly abuts Stream #1, an (a)(2) waterway.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
N/A.	N/A.	N/A.	N/A.	

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 Sheet E-1, entitled "Wetlands/Waters Delineation Plan of the Montgomery Avenue Tracts prepared for Kline Pennsburg, LLC", date stamped 25 September 2020 and prepared by STA Engineering, Inc.; and data sheets prepared by Nova Consultants, Ltd., dated 09 October 2018.](#)

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 18 October 2018 and 25 September 2020.](#)
- ☒ Corps site visit(s) conducted on: [25 September 2020 by Robert Youhas, Biologist, CENAP-Regulatory Branch, Applications Section II.](#)
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- ☐ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- ☒ USDA NRCS Soil Survey: [Montgomery County, PA Soil Survey Sheet Number 4.](#)
- ☒ USFWS NWI maps: [NWI Wetlands Map \(East Greenville/Milford Square, PA Quadrangle\).](#)
- ☒ USGS topographic maps: [East Greenville/Milford Square, PA Quadrangle.](#)

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.
NOAA Sources	N/A.
USACE 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.

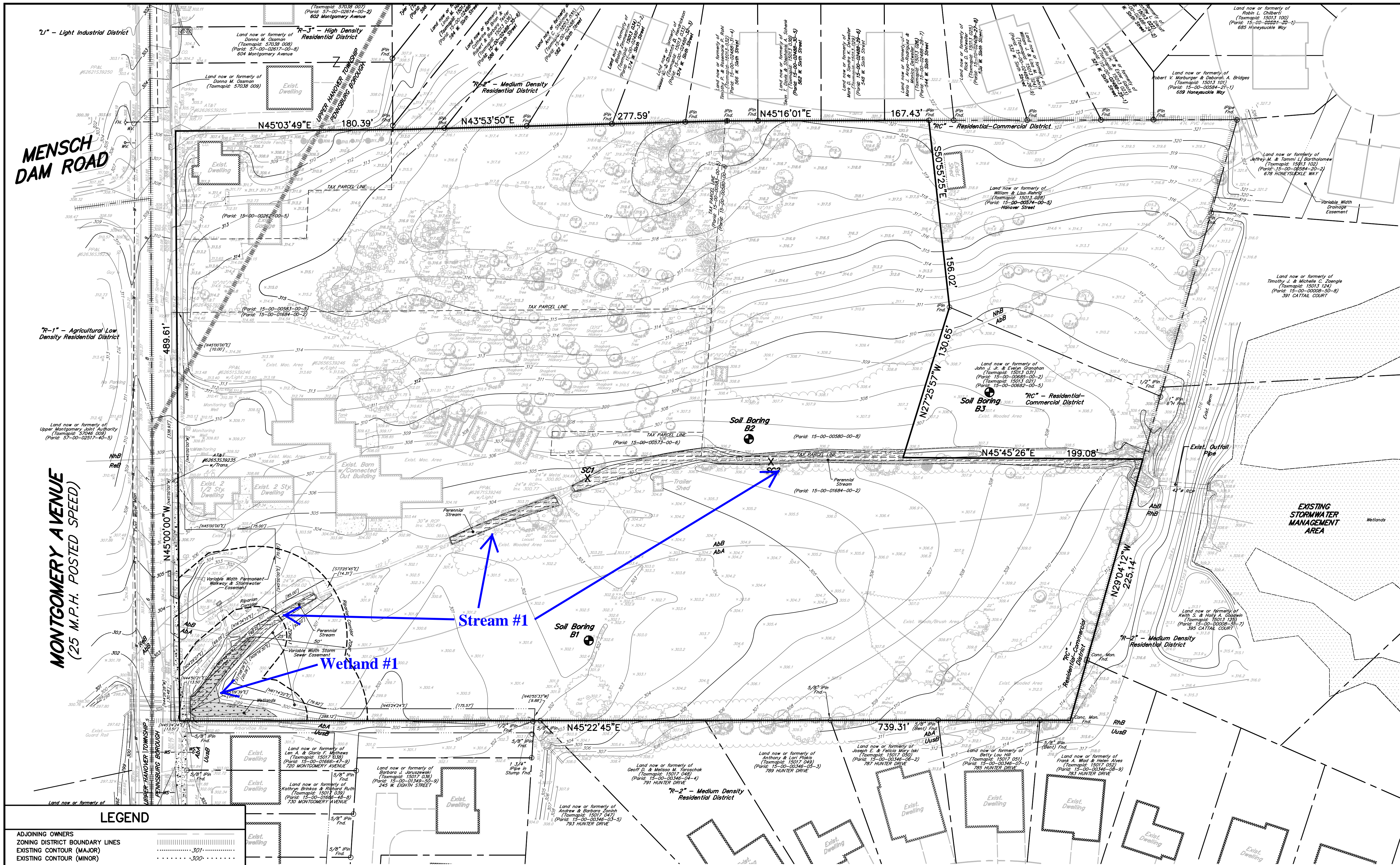


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Data Source (select)	Name and/or date and other relevant information
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

C. Additional comments to support AJD: N/A.



LEGEND

ADJOINING OWNERS
ZONING DISTRICT BOUNDARY LINES
EXISTING CONTOUR (MAJOR)
EXISTING CONTOUR (MINOR)
EXISTING SANITARY SEWER
EXISTING STORM SEWER
EXISTING EDGE OF ROAD
EXISTING RIGHT-OF-WAY
EXISTING CENTERLINE
EXISTING DRIVE
EXISTING EASEMENT
EXISTING WOODS
100 YEAR FEMA FLOODPLAIN
ALLUVIAL SOILS
SOIL LINE

EXISTING CONCRETE
OVERHEAD WIRES
EXISTING LAMP POST
EXISTING CLEANOUT
EXISTING UTILITY POLE
EXISTING MANHOLE
EXISTING SIGN
IRON PIN FOUND
CONC. MONUMENT FOUND

WETLANDS
PERENNIAL STREAM

Legend symbols include: Dashed lines for boundaries, solid lines for contours, thick lines for sewer lines, thin lines for storm sewer lines, double lines for right-of-way, dashed lines for centerline, solid lines for drives, dashed lines for easements, wavy lines for woods, wavy lines for floodplain, wavy lines for alluvial soils, solid lines for soil lines, solid lines for concrete, solid lines for overhead wires, solid lines for lamp posts, solid lines for cleanouts, solid lines for utility poles, solid lines for manholes, solid lines for signs, solid lines for iron pins, solid lines for monuments, and wavy lines for wetlands and streams.

NAP-2020-00626-95
Plan Sheet E-1
25 September 2020

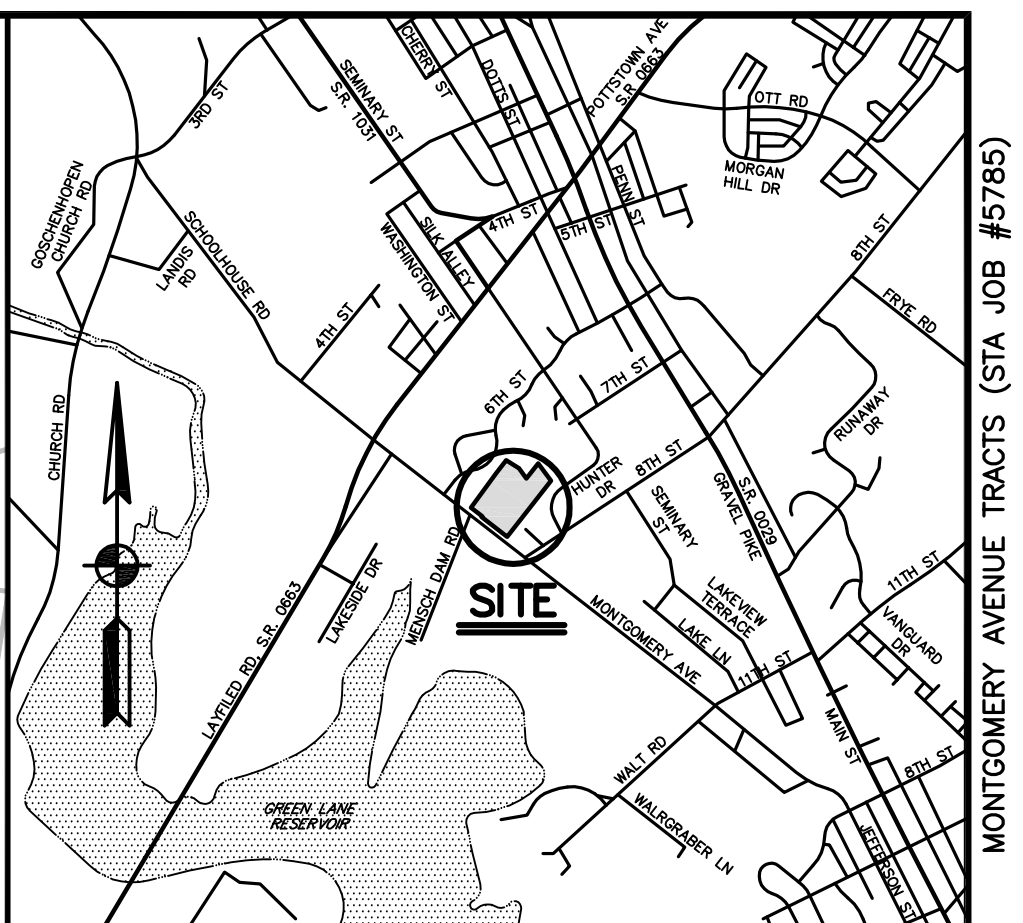
NOTES

1. BOUNDARY DATA:
a. TITLE LINE INFORMATION TAKEN FROM EXISTING DEEDS, PLANS OF RECORD:
1. FINAL PLAN OF SUBDIVISION PREPARED FOR MONTGOMERY MEADOWS, BY URWILER & WALTER, INC., DATED JANUARY 12, 1990, AS LAST REVISED JUNE 11, 1992, SHEETS 2-4, RECORDED IN PLAN BOOK A54, PAGES 232-234.
2. FINAL SUBDIVISION PLAN PREPARED FOR SHAWN BUILDERS CORP., BY RICHARD C. WAST ASSOCIATES, P.C., DATED NOVEMBER 8, 2000, AS LAST REVISED DECEMBER 13, 2001, RECORDED IN PLAN BOOK A60 PAGE 295.
3. FINAL SUBDIVISION PLAN OF LENAPE ESTATES, PREPARED FOR DONALD ALBITZ, BY HORIZON ENGINEERING ASSOCIATES, LLC, DATED JULY 16, 2001, AS LAST REVISED MAY 1, 2002, RECORDED IN PLAN BOOK A60, PAGE 385.
b. BOUNDARY INFORMATION WAS VERIFIED BY ACTUAL FIELD MEASUREMENTS TAKEN BY THIS OFFICE IN AUTUMN 2019.
2. CONTOUR DATA SHOWN HEREON HAS BEEN BASED ON NORTH AMERICAN VERTICAL DATUM (NAVD 88).
a. BENCHMARK ELEVATION: 384.31
BENCHMARK DESCRIPTION: USGS DISK V 182 LOCATED 0.9 MILE SOUTH ALONG HIGHWAY 29 FROM THE FARMERS NATIONAL BANK AT PENNSBURG, 17 FEET WEST OF THE CENTER LINE OF THE HIGHWAY, A STANDARD DISK SET IN THE TOP OF THE NORTHWEST CORNER WALL OF AN OVERHEAD HIGHWAY CROSSING OVER THE READING CO. RAILROAD.
b. LOCAL BENCHMARK ELEVATION: 317.91
BENCHMARK DESCRIPTION: RIM OF SANITARY MANHOLE LOCATED IN THE INTERSECTION OF MONTGOMERY AVENUE & WALT ROAD.
c. LOCAL BENCHMARK ELEVATION: 308.19
BENCHMARK DESCRIPTION: RIM OF SANITARY MANHOLE LOCATED IN THE INTERSECTION OF MONTGOMERY AVENUE & MENSCH DAM ROAD.
3. PRIOR TO THE START OF CONSTRUCTION, THE GENERAL CONTRACTOR OR HIS DESIGNATED REPRESENTATIVE MUST VERIFY ALL SITE BENCHMARKS THROUGH S.T.A. ENGINEERING, INC. FAILURE TO DO SO WILL RESULT IN REMOVING S.T.A. ENGINEERING, INC. FROM ALL LIABILITY.
4. TOPOGRAPHIC DATA AS SHOWN HEREON GATHERED FROM A CURRENT FIELD SURVEY PERFORMED BY THIS OFFICE IN AUTUMN 2019.
5. WETLANDS AND THE EXISTING EPHEMERAL CHANNEL WERE FIELD VERIFIED AND DELINEATED BY NOVA CONSULTANTS, LTD. IN SEPTEMBER, 2019.
6. NO PART OF THIS PROPERTY LIES WITHIN A FLOODPLAIN AREA AS DESCRIBED ON PANEL 38 OF 451 OF THE FEMA FLOOD INSURANCE RATE MAP NUMBER 42091C0038 G AND 42091C0019 G, EFFECTIVE MARCH 2, 2016.
7. ANY SCALED DIMENSIONS FROM THE PLAN SHALL NOT BE USED FOR CONSTRUCTION WITHOUT CONFIRMATION BY S.T.A. ENGINEERING, INC.

SOILS DATA

DATA OBTAINED FROM N.R.C.S. SOIL SURVEY.

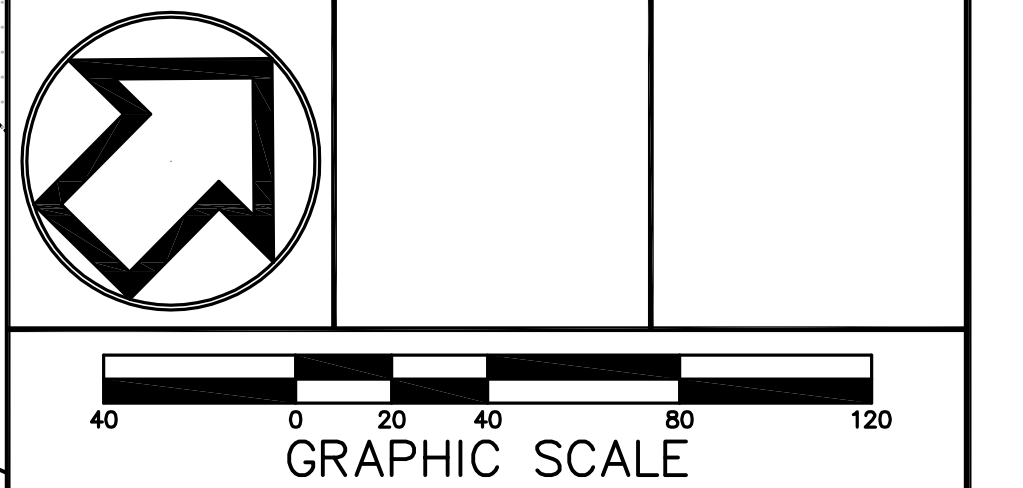
AbA	ABBOTTSTOWN SILT LOAM, 0 TO 3 PERCENT SLOPES.
AbB	ABBOTTSTOWN SILT LOAM, 3 TO 8 PERCENT SLOPES.
CrB2	CROTON SILT LOAM, 3 TO 8 PERCENT SLOPES, MODERATELY ERODED.
NhB	NESHAMINY SILT LOAM, 3 TO 8 PERCENT SLOPES.
ReB	READINGTON SILT LOAM, 3 TO 8 PERCENT SLOPES.
RhB	REAVILLE SILT LOAM, 3 TO 8 PERCENT SLOPES.
UuB	URBAN LAND-UDORTHENTS, SHALE AND SANDSTONE COMPLEX, 0 TO 8 PERCENT SLOPES.



SITE LOCATION MAP 1"=2000'

SITE STATISTICS

1. SUBJECT TRACT MAY BE IDENTIFIED BY MONTGOMERY COUNTY TAX ASSESSMENT INFORMATION AS FOLLOWS:
- PENNSBURG BOROUGH
A. TAXMAPID: 15013 020
(PARID: 15-00-01684-00-2)
B. TAXMAPID: 15013 018
(PARID: 15-00-00573-00-6)
C. TAXMAPID: 15013 027
(PARID: 15-00-00580-00-8)
D. TAXMAPID: 15013 019
(PARID: 15-00-00583-00-5)
E. TAXMAPID: 57038 010
(PARID: 15-00-02620-00-5)
F. TAXMAPID: 57088 015
(PARID: 15-00-02620-00-5)
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 IN:
- A. DEED BOOK 5951, PAGE 1875
B. DEED BOOK 5583, PAGE 2138
C. DEED BOOK 5820, PAGE 02453
D.E.F. DEED BOOK 5846, PAGE 00751
3. NAME AND ADDRESS OF THE OWNER OF THE SUBJECT TRACTS:
- A. STANFORD L. LARGE JR.
704 MONTGOMERY AVENUE
PENNSBURG, PA 18073
B. TH PROPERTIES LP
345 MAIN STREET
HARLEYSVILLE, PA 19438
C. MARIO & MONICA ARAYA
15413 SW 15TH ST
MIAMI, FL 33185
D.E.F. BRANDON M. & JENNIFER L. HAPLER
606 MONTGOMERY AVE
PENNSBURG, PA 18073
4. NAME AND ADDRESS OF THE EQUITABLE OWNER OF THE SUBJECT TRACT:
- KLINE, PENNSBURG LLC
555 SOUTH GODDARD BOULEVARD, SUITE 445
KING OF PRUSSIA, PA 19406
5. AREA STATISTICS:
TOTAL TRACT AREA = 341,254 S.F./7.83 AC.



3 RY	USACE markups	OCT 8, 2020
2 JAC	PER CORPS SITE VISIT (9/25/20)	OCT. 6, 2020
1 JAC	S.T.A. PLAN ORIGIN DATE	JULY 6, 2020

WETLANDS/WATERS DELINEATION PLAN
OF THE
MONTGOMERY AVENUE TRACTS
PREPARED FOR
KLINE PENNSBURG, LLC
SITE SITUATE IN
BOROUGH OF PENNSBURG/UPPER HANOVER TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

S T A
Engineering, Inc.

Civil Engineers • Land Surveyors
2499 KNIGHT ROAD, PENNSBURG, PA 18073
MAILING: P.O. BOX 87, RED HILL, PA 18076
PH: (215) 679-0200; www.stotac.com

PLAN SCALE	DRAFTED BY	PROJECT MANAGER	PLAN SHEET NUMBER
HORIZONTAL:	J.A.C.	S.A.R.	
1"=40'	PROJECT NUMBER	DRAWING FILE NUMBER	1 OF 1
	5785	5785WET-JD	