



**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): 11/5/2020

ORM Number: NAP-2020-00682-95

Associated JDs: N/A

Review Area Location¹: State/Territory: Pennsylvania City: Bensalem County/Parish/Borough: Bucks

Center Coordinates of Review Area: Latitude 40.078333°N Longitude -74.937957°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 or describe rationale.
- ☐ 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	2,707.0	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream #1 is an unnamed perennial stream that flows south/southeast directly to the Delaware River, an (a)(1) waterway.

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 A	10.70 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland A directly abuts Stream #1, an (a)(2) waterway.	
Wetland B	1.46 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland B directly abuts Stream #1, an (a)(2) waterway.	
Wetland C	0.57 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland C directly abuts Stream #1, an (a)(2) waterway.	
Wetland D	3.20 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland D directly abuts Stream #1, an (a)(2) waterway.	
Wetland E	0.63 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland E 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: Drawing E-1, entitled "Wetlands Exhibit", prepared by Dynamic Engineering, October 20, 2020; last revised, November 5, 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 October 2020.
- ☒ Corps site visit(s) conducted on: 07 October 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: Bucks/Philadelphia County, PA Soil Survey Sheet Numbers 82-88.

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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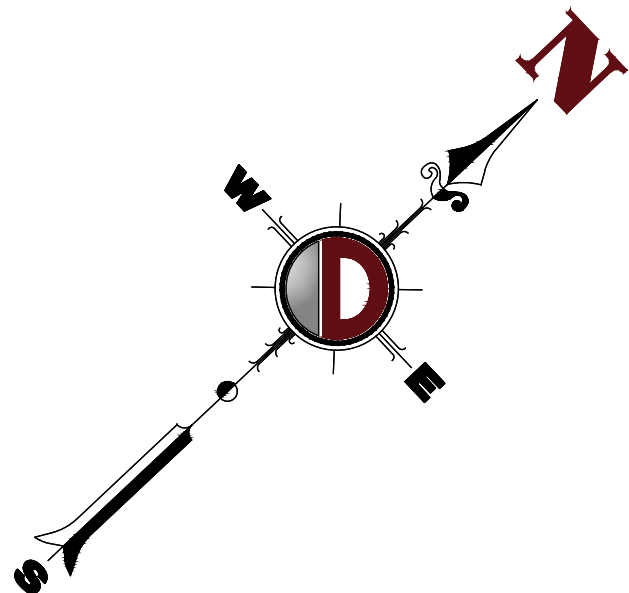
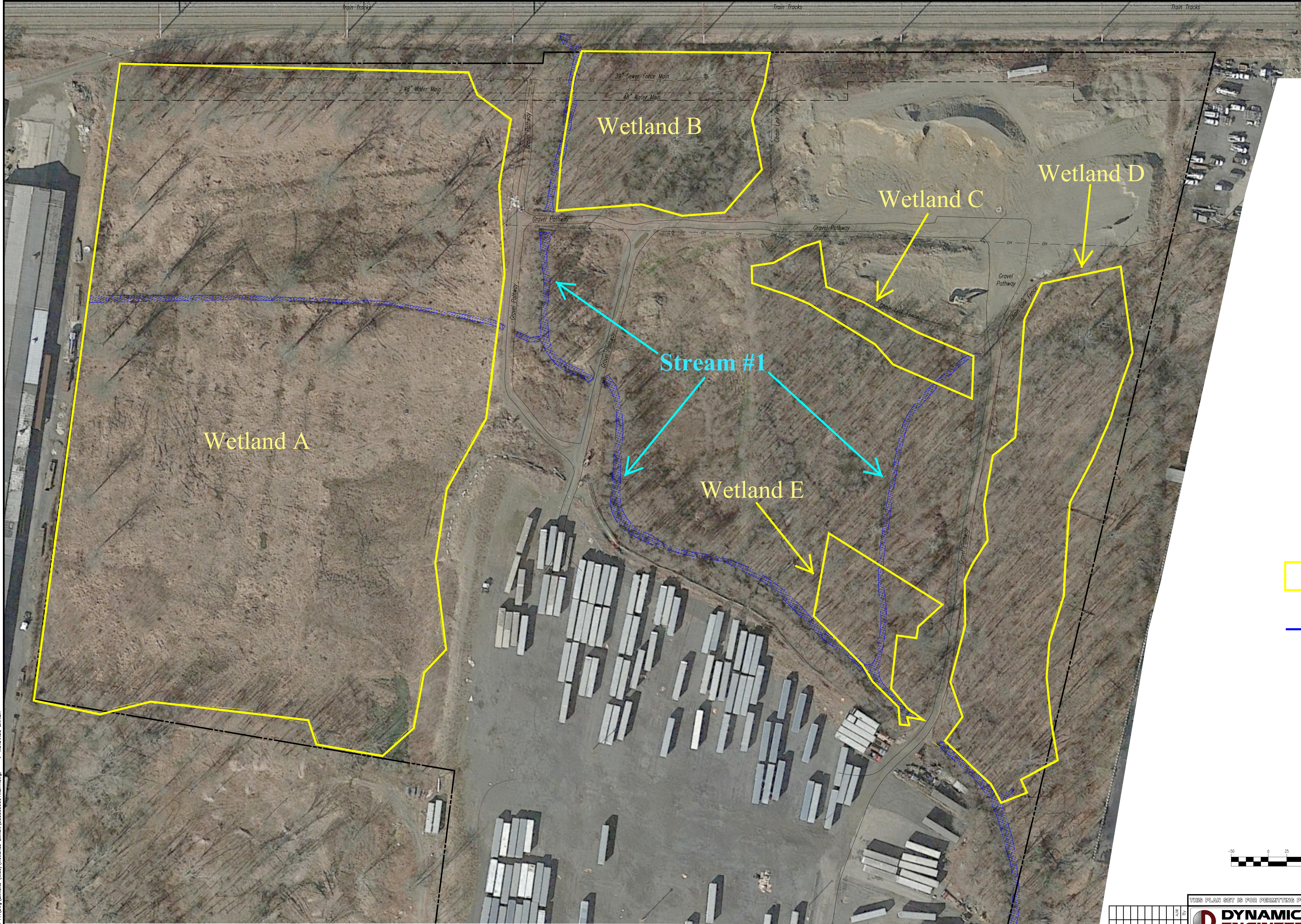
- ☒ USFWS NWI maps: [NWI Wetlands Map \(Beverly, NJ-PA Quadrangle\)](#).
- ☒ USGS topographic maps: [Beverly, NJ-PA Quadrangle](#).

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.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

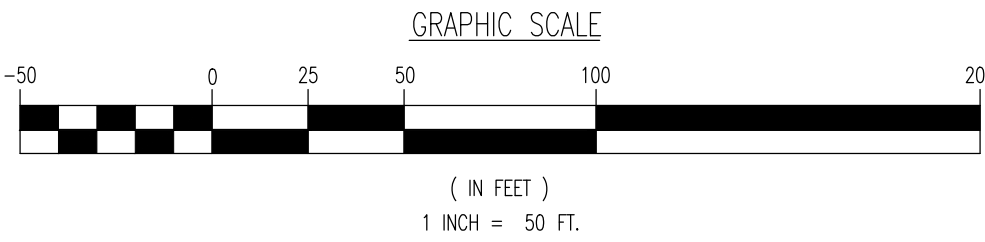
C. Additional comments to support AJD: [N/A.](#)



GENERAL NOTES

1. HORIZONTAL DATUM - NAD 83 (2011), BASED ON GPS FIELD OBSERVATION PERFORMED BY DYNAMIC SURVEY ON SEPTEMBER 1 AND 2, 2020, UTILIZING THE LEICA RTK CORS NETWORK.
2. VERTICAL DATUM - NAVD 88 (2000 12A), BASED ON GPS FIELD OBSERVATIONS PERFORMED BY DYNAMIC SURVEY ON SEPTEMBER 1 AND 2, 2020, UTILIZING THE LEICA RTK CORS NETWORK.
3. FIELD WORK PERFORMED BY DYNAMIC SURVEY ON SEPTEMBER 1 AND 2, 2020.
4. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT. PROPERTY IS SUBJECT TO SUB-SURFACE CONDITIONS AND/OR ENCROACHMENTS NOT DISCLOSED BY PUBLIC RECORD, IF ANY.
5. BY GRAPHICAL PLOTTING THE PREMISES IS LOCATED IN ZONE "X" PER FLOOD INSURANCE RATE MAP NUMBERS: 42017C0508K AND 42017C0504K, EFFECTIVE DATE: 03/21/2017.
6. WETLANDS INFORMATION SHOWN HEREON IS BASED ON EXISTING FLAGGING LOCATED AT THE TIME THE FIELDWORK WAS BEING PERFORMED. OR PLANS SHOWING FORMER DELINEATED FLAG LOCATIONS PERFORMED BY OTHERS. THIS PLAN IS NOT TO BE USED FOR DESIGN PURPOSES.
7. DYNAMIC SURVEY, LLC DOES NOT CERTIFY TO THE ACCURACY OR COMPLETENESS OF WETLANDS WITHIN THE SITE. THIS PLAN IS FOR REFERENCE PURPOSES ONLY.

- Wetland
- Stream



E-1 NAP-2020-00682-95 05 November 2020

Rev.		Date	Comments	By	SW
1	11/05/20	REV. U.S. PER ARMY CORPS OF ENGINEERS COMMENTS			
THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION					
<div><div><div>DDYNAMICENGINEERING</div><div>LAND DEVELOPMENT CONSULTING • PERMITTING • GEOTECHNICAL • ENVIRONMENTAL • SURVEY • PLANNING & ZONING</div><div><small>Leola Condo, New Jersey 1-732-974-0388 Chester, New Jersey 1-732-979-2100 Allentown, PA 1-610-261-2444 Philadelphia, Pennsylvania 1-215-253-4888 Delmar, Delaware 1-302-438-8570</small></div></div><div><div>828 Newtown Yardley Road, Suite 201 Newtown, PA 18940 T: 287.885.0276 F: 287.885.0361 www.dynamicco.com</div><div><small>PROTECT YOURSELF ALL WORK SHALL BE REVIEWED BY A LICENSED PROFESSIONAL ENGINEER BEFORE IT IS USED FOR ANY PURPOSE. TO AVOID THE RISK OF LITIGATION, THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.</small></div></div></div>					
TITLE: WETLANDS EXHIBIT					
PROJECT: JJGD GP LLC WETLANDS EXHIBIT PARCEL NO. 02-066-005 2700 STATE ROAD BENSALEM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA					
JUSTIN A. GEONNOTTI		BRETT W. SKAPINETZ		DATE: 10/20/2020 SCALE: (H) 1"=50' (V) SHEET No: 1 OF 1	
PROFESSIONAL ENGINEER PENNSYLVANIA LICENSE No. 080629		PROFESSIONAL ENGINEER PENNSYLVANIA LICENSE No. 77727		Rev. # 1	