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): 11/10/2020
ORM Number: NAP-2020-00725-95
Associated JDs: N/A
Review Area Location[1]: State/Territory: New Jersey City: Logan Township
County/Parish/Borough: Gloucester
Center Coordinates of Review Area: Latitude 39.814124°N Longitude -75.36596°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
Delaware River	7,420	linear feet	RHA Tidal water is subject to the ebb and flow of the tide	The Delaware River is a navigable water of the United States subject to the ebb and flow of the tide as per Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
Raccoon Creek	9,225.0	linear feet	RHA Tidal water is subject to the ebb and flow of the tide	Raccoon Creek is a navigable water of the United States subject to the ebb and flow of the tide as per Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

C. Clean Water Act Section 404

[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.

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Territorial Seas and Traditional Navigable Waters ((a)(1) waters):[3]				
(a)(1) Name	(a)(1) Size		(a)(1) Criteria	Rationale for (a)(1) Determination
Delaware River	7,420.0	linear feet	(a)(1) Water is also subject to Sections 9 or 10 of the Rivers and Harbors Act - RHA Tidal water is subject to the ebb and flow of the tide.	The Delaware River is subject to Section 404 of the Clean Water Act up to the high tide line, thus meeting the definition of an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Raccoon Creek	9,225.0	linear feet	(a)(1) Water is also subject to Sections 9 or 10 of the Rivers and Harbors Act - RHA Tidal water is subject to the ebb and flow of the tide.	Raccoon Creek is subject to Section 404 of the Clean Water Act up to the high tide line, thus meeting the definition of an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.

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.

[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.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland A	3.57	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland A directly abuts the Delaware River, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland B	2.88	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland B directly abuts the Delaware River, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland C	0.13	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland C directly abuts the Delaware River, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland D	1.39	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland D directly abuts the Delaware River, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland E	0.70	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland E directly abuts the Delaware River, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland F	0.94	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland F directly abuts the Delaware River, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland G	21.55	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland G directly abuts Raccoon Creek, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland H	31.17	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland H directly abuts Raccoon Creek, which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule.
Wetland I	18.70	acre(s)	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland I is separated from Raccoon Creek [which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule], by an artificial structure (Island Road), connecting across Wetland H by surface flow.

Wetland J	33.51	acre(s)	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland J is separated from Raccoon Creek [which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule], by an artificial structure (Ferry Road), connecting across Wetland H and Wetland I by surface flow.
Wetland K	21.34	acre(s)	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland K is separated from Raccoon Creek [which meets the definition of both a Section 10 waterway and an (a)(1) waterway under the 22 June 2020 Navigable Waters Protection Rule], by an artificial structure (Ferry Road), connecting across Wetland G by surface flow.

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.	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 "US Army Corps of Engineers Jurisdictional Determination Plan", prepared by Dynamic Engineering on November 11, 2020; and last revised by USACE on November 23, 2020, sheet E-1; data sheets prepared by Eastern States Environmental Associates, Inc. dated March 2020.

This information is sufficient for purposes of this AJD.

Rationale: 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.

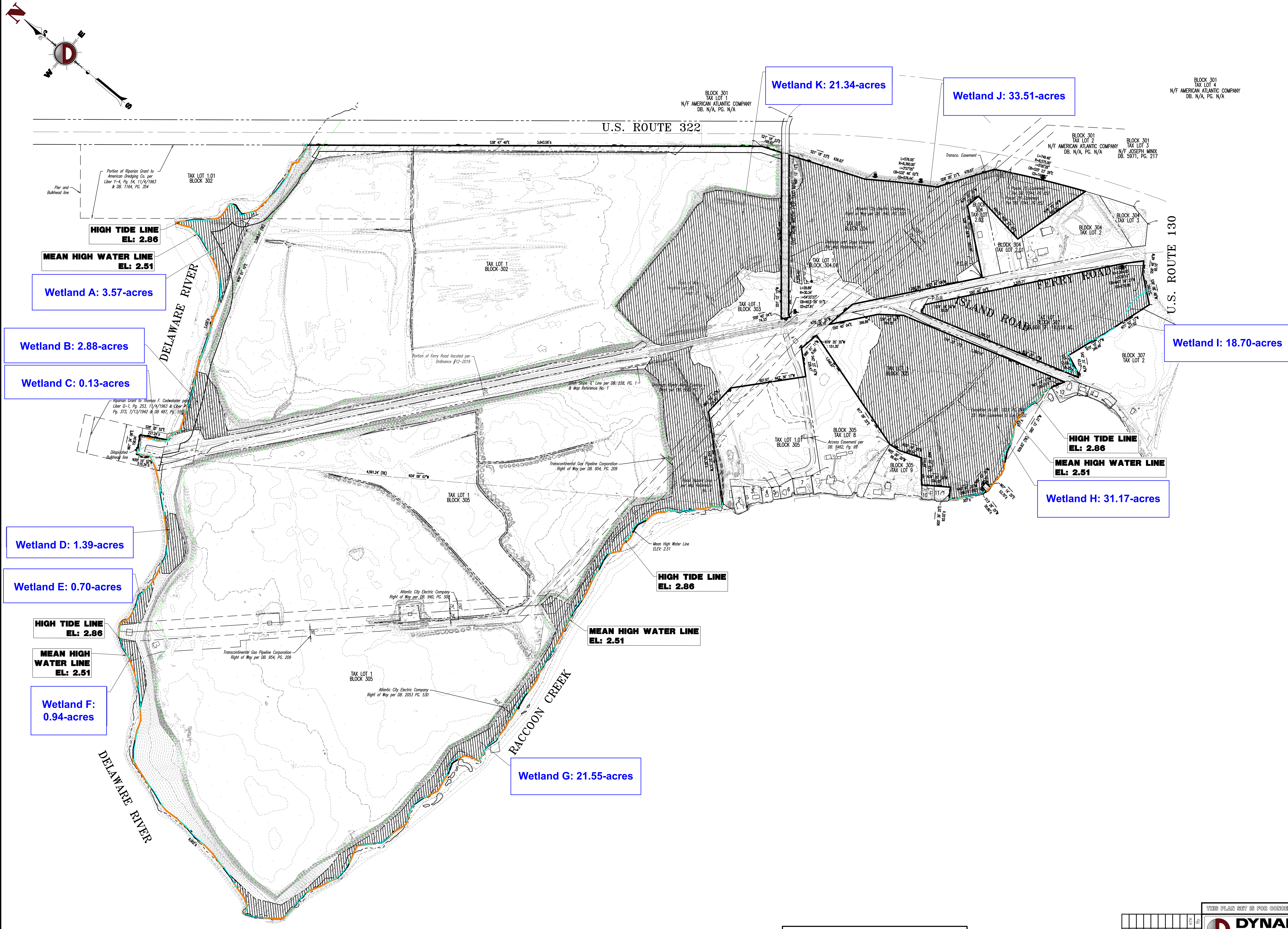
☐ Data sheets prepared by the Corps: Title(s) and/or date(s).
☒ Photographs: Aerial and Other: Site Photos dated March 2020 and November 10, 2020.
☒ Corps site visit(s) conducted on: November 10, 2020 by Robert Youhas, Biologist, CENAP-Regulatory Branch, Applications Section II.
☐ Previous Jurisdictional Determinations (AJDs or PJDs): N/A
☐ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B*.
☒ USDA NRCS Soil Survey: NRCS Geographic Database (SSURGO), Marcus Hook and Bridgeport, PA-NJ Quadrangle
☐ USFWS NWI maps: Title(s) and/or date(s).
☒ USGS topographic maps: Marcus Hook and Bridgeport, PA-NJ 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.



LEGEND

(orange line)	MEAN HIGH WATER LINE
(cyan line)	HIGH TIDE LINE
(green line)	TOP OF BERM – CDF
(hatched)	WETLANDS PER USACOE JURISDICTION (5,918,338 SF, 135.9 AC)

GENERAL NOTES

1. THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:

   ALTA/NSPS LAND TITLE SURVEY
   BLOCK 302 LOTS 1 & 1.01, BLOCK 303 LOT 1, BLOCK 304 LOT 1, BLOCK 304.01 LOT 1, BLCOK 305 LOT 1, BLOCK 307 LOT 1.
   TOWNSHIP OF LOGAN, GLOUCESTER COUNTY, NEW JERSEY
   PREPARED BY: DYNAMIC SURVEY, LLC
   1904 MAIN STREET
   LAKE COMO, NJ 07719
   SURVEYOR FILE NO: 3225-990-02S
   DATED 12/20/2019, LAST REVISED 07/17/20

2. THE LOT AND BLOCK NUMBERS SHOWN ARE BASED ON THE TAX MAP OF THE TOWNSHIP OF LOGAN, GLOUCESTER COUNTY, NEW JERSEY, SHEET NO. 3.
3. HORIZONTAL DATUM – BASED ON HORIZONTAL DATUM – NAD 83 (2011), BASED ON GPS FIELD OBSERVATION PERFORMED BY DYNAMIC SURVEY ON OCTOBER 22, 2019, UTILIZING THE LEICA RTK CORS NETWORK.
4. FIELD WORK PERFORMED BY DYNAMIC SURVEY THROUGHOUT OCTOBER 2019 AND NOVEMBER 27, 2019.
5. 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.
6. DYNAMIC MAKES NO GUARANTEES THAT ALL UTILITIES ARE SHOWN AND ANY LOCATIONS SHOWN ARE APPROXIMATE BASED ON MARKOUT UNLESS NOTED OTHERWISE. ALL UTILITY LOCATIONS MUST BE VERIFIED WITH THE PROPER UTILITY COMPANIES PRIOR TO ADDITIONAL DESIGN, EXCAVATION OR CONSTRUCTION. CONTACT UTILITIES TOLL FREE 1-800-272-1000.
7. NOT ALL LOT LINES OUTSIDE THE BOUNDARY OF THE SUBJECT PROPERTY SHOWN HEREON HAVE BEEN FIELD SURVEYED AND ARE SHOWN AS A GRAPHICAL REPRESENTATION OF EXISTING LOT LINES BASED ON DEED, FILED MAPS AND TAX MAP INFORMATION.
8. THIS SURVEY WAS PERFORMED BASED ON A TITLE COMMITMENT ISSUED BY US TITLE SOLUTIONS LLC, UNDERWRITER FOR FIRST AMERICAN TITLE INSURANCE COMPANY, TITLE NUMBER: 3101887, EFFECTIVE COMMITMENT DATE: SEPTEMBER 23, 2019,
9. THIS PLAN RELIES UPON THE NOTED TITLE POLICY TO IDENTIFY ALL DOCUMENTS OF RECORD FOR REVIEW IN CONNECTION TO THIS SURVEY.
10. BY GRAPHICAL PLOTTING LOTS 1 AND 1,01, BLOCK 302 IS LOCATED IN A PORTION OF ZONE 'VE', 'AE' AND 'X', PER FLOOD INSURANCE RATE MAP NUMBER: 34015C 0053 F, 0061 F, COMMUNITY NAME: LOGAN TOWNSHIP, EFFECTIVE DATE: 8/17/2016.
11. BY GRAPHICAL PLOTTING LOT 1, BLOCK 303 IS LOCATED IN A PORTION OF ZONE 'AE' A AND 'X' PER FLOOD INSURANCE RATE MAP NUMBER: 34015C 0061 F, COMMUNITY NAME: LOGAN TOWNSHIP, EFFECTIVE DATE: 8/17/2016.
12. BY GRAPHICAL PLOTTING LOT 1, BLOCK 304 IS LOCATED IN A PORTION OF ZONE 'AE' A AND 'X' PER FLOOD INSURANCE RATE MAP NUMBER: 34015C 0061 F, COMMUNITY NAME: LOGAN TOWNSHIP, EFFECTIVE DATE: 8/17/2016.
13. BY GRAPHICAL PLOTTING LOTS 1, 1.01 AND 1,02, BLOCK 305 IS LOCATED IN A PORTION OF ZONE 'VE', 'AE' AND 'X', PER FLOOD INSURANCE RATE MAP NUMBER: 34015C 0034 F, 0053 F, 0061 F, COMMUNITY NAME: LOGAN TOWNSHIP, EFFECTIVE DATE: 8/17/2016.
14. BY GRAPHICAL PLOTTING LOT 1, BLOCK 307 IS LOCATED IN A PORTION OF ZONE 'AE' A AND 'X' PER FLOOD INSURANCE RATE MAP NUMBER: 34015C 0061 F, COMMUNITY NAME: LOGAN TOWNSHIP, EFFECTIVE DATE: 8/17/2016.
15. NO WETLANDS DELINEATION MARKERS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK. THE EXISTENCE OR NONEXISTENCE OF WETLANDS OR OPEN WATERS THAT MAY BE REGULATED BY THE STATE OF NEW JERSEY AND/OR THE GOVERNMENT OF THE UNITED STATES IS NOT A PART OF THIS SURVEY.
16. TIDELANDS SEARCH CERTIFICATE, TITLE COMMITMENT REFERENCE 3101887 FOUND LOTS 1 & 1.01, BLOCK 302 TO BE 'CLAIMED' PER TIDELANDS MAP NUMBER 350-1800 & 350-1806.
17. TIDELANDS SEARCH CERTIFICATE, TITLE COMMITMENT REFERENCE 3101887 FOUND LOTS 1 & 1.02, BLOCK 305 TO BE 'CLAIMED' PER TIDELANDS MAP NUMBER 357-1800, 350-1800 & 357-1794.
18. TIDELANDS SEARCH CERTIFICATE, TITLE COMMITMENT REFERENCE 3101887 FOUND LOT 1, BLOCK 303 AND LOT 1, BLOCK 304 TO BE 'UNCLAIMED' PER TIDELANDS MAP NUMBER 350-1800 & 350-1806.
19. TIDELANDS SEARCH CERTIFICATE, TITLE COMMITMENT REFERENCE 3101887 FOUND LOT 1, BLOCK 307 TO BE 'UNCLAIMED' PER TIDELANDS MAP NUMBER 350-1806.
20. THE OFFSETS SHOWN ON THIS PLAN SHALL NOT BE USED AS THE BASIS FOR THE CONSTRUCTION OF FENCES OR ANY OTHER PERMANENT STRUCTURES.
21. THERE IS NO DELINEATED PARKING ON SITE.
22. SUBJECT PROPERTY HAS DIRECT ACCESS TO FERRY ROAD (U.S. ROUTE 324), SPRINGER ROAD AND ISLAND ROAD, ALL PUBLIC RIGHT OF WAYS.
23. NO EVIDENCE OF RECENT EARTH WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTION THE FIELDWORK.
24. NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES HAVE BEEN MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING DISTRICT OR EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK.

GRAPHIC SCALE

-300 0 150 300 600 1200

(IN FEET)
1 INCH = 300 FT.

THIS PLAN SET IS FOR CONCEPTUAL REVIEW PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

Rev.	Date	Comments	By
1	11/11/20	REV. PER USACORE REVIEW	KTK

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TITLE: US ARMY CORPS OF ENGINEERS JURISDICTIONAL DETERMINATION PLAN

PROJECT: **CROW HOLDINGS INDUSTRIAL**

BLOCK 302 LOT 1 & 1.01, BLOCK 303 LOT 1, BLOCK 304 LOT 1, BLOCK 304.01 LOT 1, BLOCK 305 LOT 1, BLOCK 307 LOT 1
TOWNSHIP OF LOGAN, GLOUCESTER COUNTY, NJ

JOB No: 3225-99-002
DATE: 08/24/2020
DRAWN BY: KTK
SCALE: (H) 1"=300' (V)
DESIGNED BY: CC
CHECKED BY: JLG
CHECKED BY: –
SHEET No: 1 OF 1
Rev. # 1

ROBERT P. FREUD
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE No. 41938

JACQUELYN GIORDANO
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE No. 53558

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Plotted: 11/13/20 – 9:41 AM, By: kkirk, – Product Ver: 23.1s (LMS Tech)
File: P:\DECPC PROJECTS\3225 Crow Holdings\99-002 Logan Township\Dwg\Exhibits (Misc)\ACOE JD Plan\D322599002JD1.dwg, ---> 01-OVERALL ENVIRONMENTAL CONSTRAINTS MAP

E-1 NAP-2020-00725-95 23 NOVEMBER 2020