



**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: CENAP-OPR-2020-00770-24 Baizman Eugene and Ruth 115 Ridgeview Road  
 Montgomery Township AJD MO  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: PA City: Montgomery Township  
 County/Parish/Borough: Montgomery County  
 Center Coordinates of Review Area: Latitude 40.243022 Longitude -75.226257

**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: Lot graded and built on as part of a residential subdivision originally constructed in early 1990s. Entire lot (0.378 acre) is uplands. See additional comments in Part III-C below.
- 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.

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.

<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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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.

**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
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: [Title\(s\) and date\(s\)](#)  
This information [Select.](#) sufficient for purposes of this AJD.  
Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial and Other: Google Earth \(1992 & 2010\); NETR 1992; on-site 09-NOV-2020](#)
- Corps site visit(s) conducted on: [09-NOV-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: [NRCS web site](#)
- USFWS NWI maps: [U.S. FWS web site](#)
- USGS topographic maps: [Ambler quadrangle](#)

**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:** [On 09-NOV-2020, this office inspected the subject site for the purpose of verifying the presence/absence and/or limits of waters and wetlands associated with a requested stand-alone Approved Jurisdictional Determination \(JD\). The AJD was requested by the owners, Eugene and Ruth Baizman.](#)

[\(continued next page\)](#)

<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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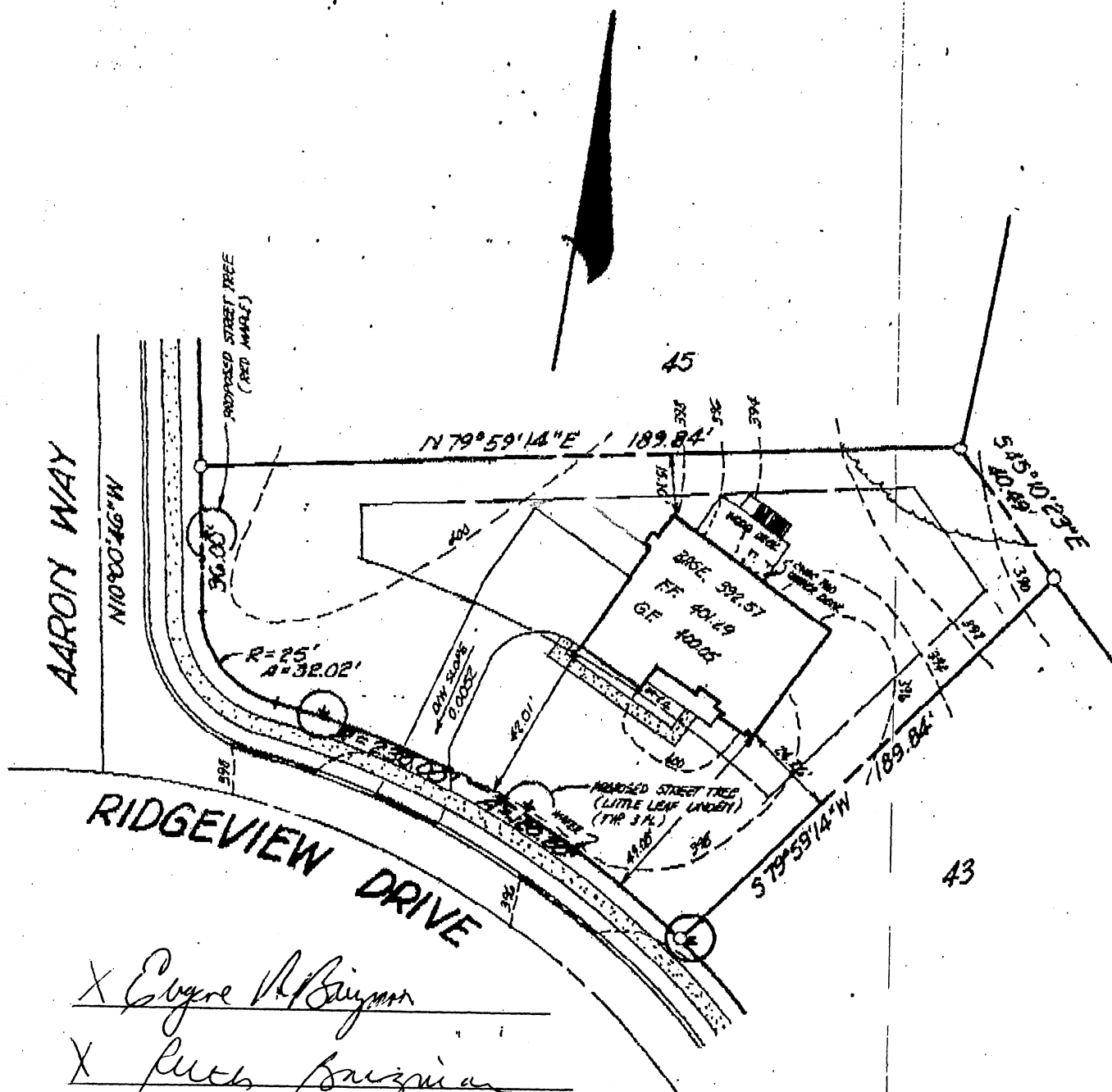
The 0.378-acre property (16,476 square feet) is identified as Tax Parcel 46-00-03232-42-1. It is located at 115 Ridgeview Road, on the northeast side of Ridgeview Road, approximately 225 feet northwest of its intersection with Sunrise Drive, at the intersection of Ridgeview Road and Aaron Way, in Montgomery Township, Montgomery County, Pennsylvania.

The applicant submitted a scanned copy of an original as-built survey by Cutler Group for this lot, dated December 1992, which indicates “Montgomery Ridge” as the name of the development. The survey shows the rear and side yards graded at that time and the house and driveway constructed. Review of aerial photography indicates that this residential subdivision was constructed in the late 1980s or early 1990s. An aerial photo from March 1992 shows the houses on either site completed or under construction, with this lot apparently graded, but no house constructed yet. It appears to be one of the last houses constructed in the development. No records could be found in ORM for Montgomery Ridge.

Review of the Montgomery County on-line soil survey (NRCS web site) indicates Croton (hydric) soil mapped to the rear (northeast) of this lot. The NWI also indicates PFO wetlands within this area to the rear of the lot, which is Township-owned open space. The U.S.G.S. Ambler quadrangle shows an unnamed tributary to Little Neshaminy Creek in the Township open space, which flows to the southeast from an upstream pond. On aerial photos, the stream channel appears to be approximately 200 feet to the rear (northeast) of the subject rear property line.

At the time of the inspection, the entire property was developed, consisting of the house (with a rear deck and stairs), sidewalks, a driveway, maintained lawn (turf) and some landscaping at the rear edge of the property. The distance from the rear corner of the house to the rear property line is approximately 50 feet. There was no evidence of wetlands within that area. The soil was examined approximately 10 feet to the northeast end of this lawn area (i.e. off the property and closer to the stream), within an adjacent brushy area. The upper 6 inches was 10 YR 3/2, with no redoximorphic features, underlain by a roughly 50-50 mixture of 10 YR 4/2 and 4/3, with very little (less than 1%) high chroma redoximorphic features. As a result of the inspection on 09-NOV-2020, as well as review of historical aerial photos, NWI and soil survey, it was determined that no waters or wetlands exist on the subject property. As such, there are no areas subject to Corps of Engineers jurisdiction on the property.

Waters_Name	Latitude	Longitude	Waters Size	Type Of Aquatic Resource	Geographic Authority
2020-770 Baizman Uplands	40.24302	-75.2263	.378 ACRES	DRYLAND	None



X Eugene A. Breyer  
 X Ruth Breyer

**FLAT PLAN (AS-BUILT)**  
 LOT NO. : 44 (115 RIDGEVIEW ROAD)  
**MONTGOMERY RIDGE**  
 THE CUTLER GROUP, INC.  
 MONTGOMERY TOWNSHIP  
 MONTGOMERY COUNTY, PA.  
 SCALE : 1" = 40'  
 JOB NO: 89068-3  
 DATE : DECEMBER 1, 1992

**ZONED : R2 CLUSTER**  
**BUILDING SETBACKS**  
 FRONT YARD : 40'  
 SIDE YARD : 10'  
 REAR YARD : 15'  
 LOT AREA : 16,476 S.F. ±

LICHLER & HANLEY INC.  
 182 W. BROAD STREET  
 TELFORD PA. 18669



*Alan C. Breyer*