



**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): 6/22/2021

ORM Number: NAP-2021-00305-95

Associated JDs: N/A

Review Area Location¹: State/Territory: Pennsylvania City: Morrisville/Falls Township

County/Parish/Borough: Bucks

Center Coordinates of Review Area: Latitude 40.198762 Longitude -74.786601

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
Feature A	1.627	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.
			Feature A (cross-hatched area on the enclosed drawing E-1) was determined to be a stormwater control feature, conveying stormwater runoff from the U.S. Route 1 Highway. This determination is in agreement with the definition of "stormwater control feature" in the 22 June 2020 Navigable Waters Protection Rule. The remainder of the subject property was determined to be comprised of dry land in its entirety.

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 "Existing Features, M-Y Lane", prepared by Dumack Engineering, Sheet E-1, 06 May 2020, last revised 22 June 2021 by USACE; and data sheets prepared on 21 April 2021.](#)

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: Aerial Photos \(GoogleEarth\) dated 20 May 2019, 16 April 2016, 15 Sept 2015, 31 Dec 2009, 15 July 2006, 05 June 2004, and 13 March 1995. Site Photos dated 21 April 2021 and 17 June 2021.](#)

☒ Corps site visit(s) conducted on: [17 June 2021 by Robert Youhas, Biologist, CENAP-Regulatory Branch, Applications Section II.](#)

☐ 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: [Bucks/Philadelphia County, PA Soil Survey Sheets #67 and #68.](#)

☒ USFWS NWI maps: [Trenton West, NJ-PA Quadrangle.](#)

☒ USGS topographic maps: [Trenton West, 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.

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.



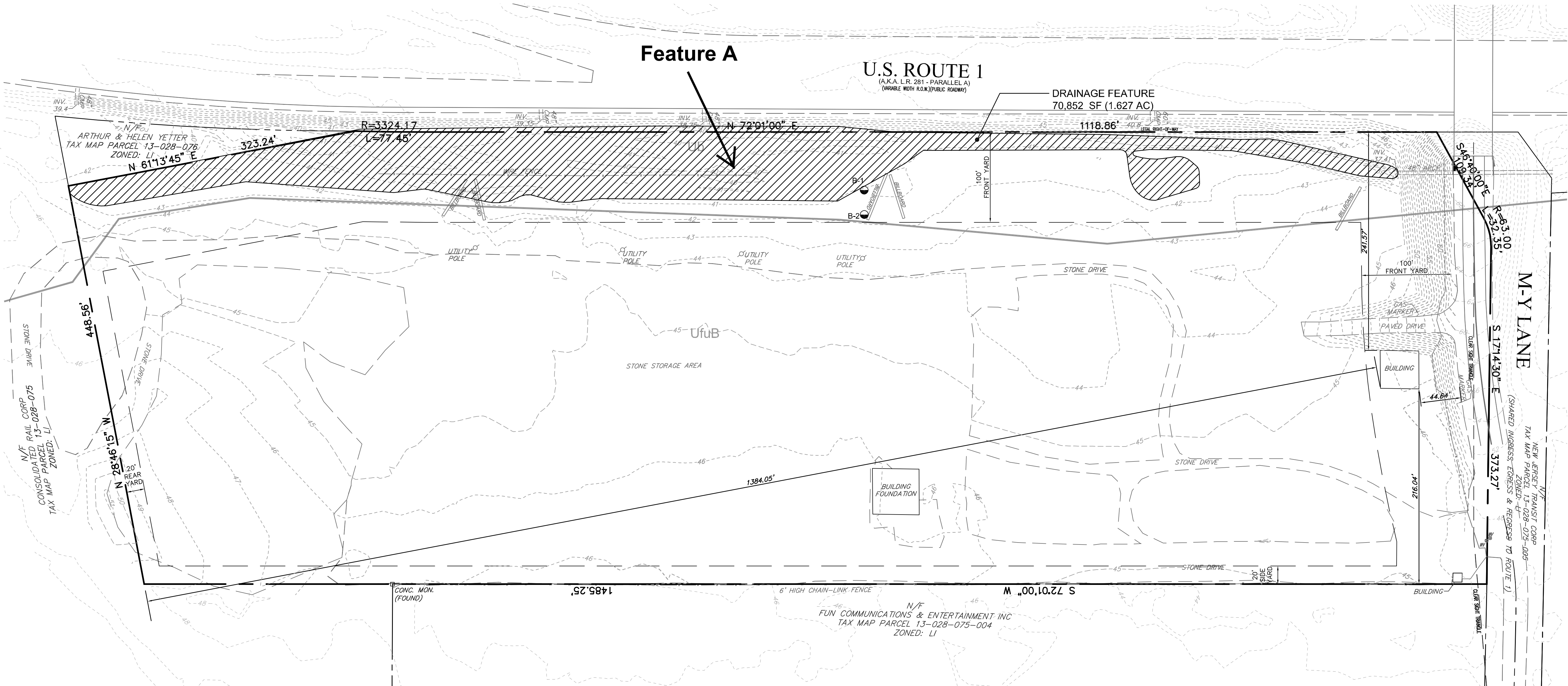
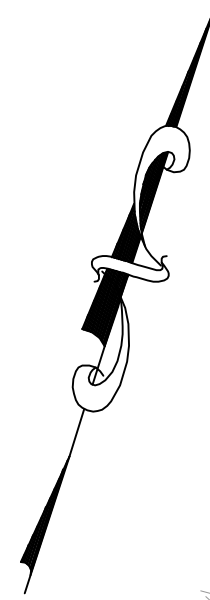
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Data Source (select)	Name and/or date and other relevant information
Other Sources	N/A.

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

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

E-1 NAP-2021-00305-95 22 June 2021



SITE CAPACITY TABLE

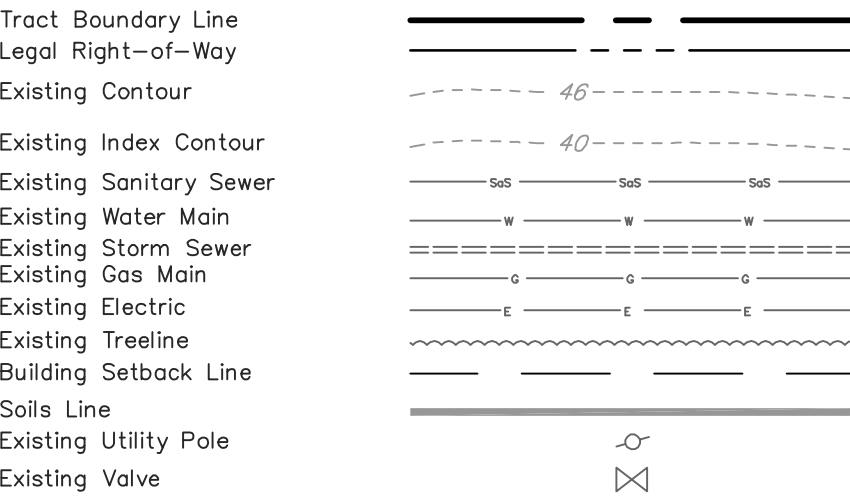
NATURAL RESOURCE	NATURAL RESOURCE	PERCENT OF RESOURCE TO BE PROTECTED	TOTAL NATURAL RESOURCE LAND IN ACRES	TOTAL RESOURCE PROTECTED LAND	PROPOSED DISTURBANCE	% DISTURBANCE
191-52-1B(1)(a)	FLOODPLAIN	100 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0 %
191-52-1B(2)(b)	WETLANDS	100 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0 %
191-52-1B(8)(a)	WETLANDS MARGIN	80 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0 %
191-52-1B(6)(a)	LAKE AND PONDS	100 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0 %
191-52-1B(6)(a)	LAKE AND POND SHORELINES	80 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0 %
191-52-1B(7)(a)	WATERCOURSES	100 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0 %
191-52-1B(3)(b)(1)	SLOPES:	70 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0%
191-52-1B(3)(b)(2)	STEEP SLOPES (15-25%) STEEP SLOPES (>25%)	85 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0%
191-52-1B(4)(b)(1)	WOODLANDS ENVIRONMENTALLY SENSITIVE AREAS	80 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0%
191-52-1B(4)(b)(2)	OTHER WOODED AREAS	50 %	0.0 ACRES	0.0 ACRES	0.0 ACRES	0.0%
	TOTALS:		0.0 ACRES	0.0 ACRES	0.0 ACRES	

- GENERAL NOTES**
1. TOPOGRAPHY AND ELEVATIONS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
 2. THIS PLAN IS SUBJECT TO ANY AND ALL RIGHT-OF-WAY, EASEMENTS AND COVENANTS OF RECORD.
 3. THE LOCATION OF EXISTING UNDERGROUND UTILITIES CONTAINED ON THESE PLANS HAVE BEEN OBTAINED BY FIELD SURVEY. COMPLETENESS OR ACCURACY OF THE LOCATION OF UTILITIES CANNOT BE GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS, SURFACE AND SUBSURFACE, AND SHALL NOTIFY THE ENGINEER IN THE EVENT OF DISCREPANCIES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY UNDERGROUND UTILITY USERS FOR COMPLIANCE WITH PENNSYLVANIA ACT 5008-121.
 4. NO PORTION OF THE SITE IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN BOUNDARY AS IDENTIFIED ON FEMA MAPS 420770045B1, EFFECTIVE DATE MARCH 16, 2016.
 5. STEEP SLOPES ON THE SITE ARE MAN-MADE, THEREFORE NOT COUNTED AS A NATURAL RESOURCE.

GROSS SITE AREA = 17.34 AC

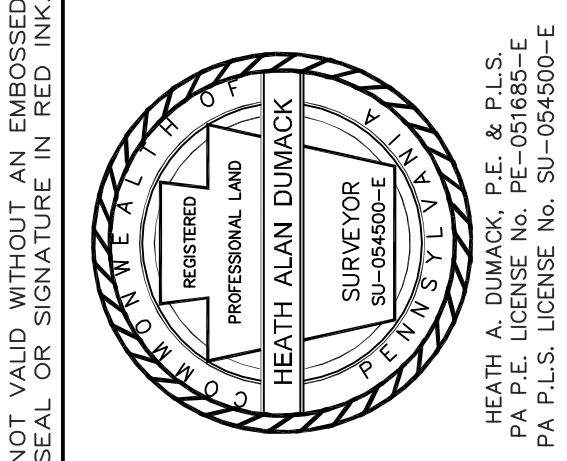
SOIL SYMBOLS/ SERIES	DEPTH TO THE TOP SEASONAL WATER TABLE	DEPTH TO RESTRICTIVE FEASURE	BUILDINGS WITHOUT BASEMENTS	BUILDINGS WITH BASEMENTS	SMALL COMMERCIAL BUILDINGS	LAND CAPABILITY	PRIME FARMLAND	HYDROLOGY CODE
Ub UDORTHENTS, LOAMY	12 TO 36 Inches	>80 Inches	SOMEWHAT LIMITED DEPTH TO SATURATED ZONE	VERY LIMITED DEPTH TO SATURATED ZONE	SOMEWHAT LIMITED DEPTH TO SATURATED ZONE	7s	NOT PRIME FARMLAND	A/D
UfuB URBAN LAND 0 TO 8 percent slopes	--	--	NOT RATED	NOT RATED	NOT RATED	8s	NOT PRIME FARMLAND	--

Legend



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PENNSYLVANIA LAW REQUIRES
3 WORKING DAYS NOTICE FOR
CONSTRUCTION PHASE AND 10 WORKING
DAYS IN DESIGN STAGE-STOP CALL
PENNSYLVANIA ONE CALL SYSTEM, INC.
1-800-242-1776

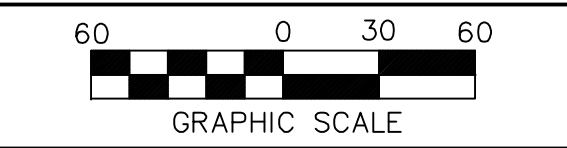
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DUMACK ENGINEERING
ESTABLISHED IN 1984
677 DURHAM ROAD
P.O. BOX 487
PENN PARK, PA 18943
PHONE: (215) 598-1230
FAX: (215) 598-1232
A PROFESSIONAL CORPORATION
CIVIL - STRUCTURAL ENGINEERS & SURVEYORS
www.Dumack.com

REV. No.	DATE	REVISION
1	JUNE 21, 2021	PER U.S. ARMY CORPS OF ENGINEERS COMMENTS
2		
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EXISTING PARCEL INFO:
T.M.P. No. 13-028-075-001
DEED BOOK: 1005 PAGE No. 1553
CURRENT ZONING: LI
OWNER OF RECORD:
CAROLYN HAEDRICH
933 AVENUE B
LANGHORNE, PA 19047
EQUITABLE OWNER/APPLICANT:
BRITTON REALTY OF MORRISVILLE LLC
227 BAKERS BASIN ROAD
LAWRENCEVILLE, NJ 08648



EXISTING FEATURES
M-Y LANE
FALLS TOWNSHIP
BUCKS COUNTY, PA

DRAWN BY: HAD
SCALE: 1"=60'
PLAN DATE: MAY 6, 2021
CHECKED BY:
PROJECT No: 7044
SHEET No: 1 of 1