



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT
1650 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19103-2004

CENAP

May 31, 2024

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; (88 FR 3004 (January 18, 2023) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" (8 September 2023) ,¹ NAP-2024-00310-85 MFR 1 of 1²

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.³ AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.⁴

On January 18, 2023, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule"). On September 8, 2023, the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),⁵ the 2023 Rule as amended,

¹ While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, the territorial seas, or interstate water that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

³ 33 CFR 331.2.

⁴ Regulatory Guidance Letter 05-02.

⁵ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

1. SUMMARY OF CONCLUSIONS.

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).
 - i. Delineation Area G: Non-jurisdictional
 - ii. Delineation Area S: Non-jurisdictional
 - iii. Delineation Area W: Non-jurisdictional
 - iv. Stormwater Basin S2: Non-jurisdictional
 - v. Stormwater Swale S3: Non-jurisdictional

2. REFERENCES.

- a. "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule")
- b. "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (September 8, 2023))
- c. *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023)

3. REVIEW AREA. The approximately 4-acre review area is located at 38.913648°N/ 75.422031°W, tax map parcel 330-7.17-11.00 in Milford, Sussex County, Delaware. The review area is separated from the Mispillion River by the City of Milford Riverwalk, which is outside of the review area. The site previously housed several buildings and maintained lawn which were demolished between 2004 and 2006. An enclosed 2006 redevelopment construction plan shows the topography at the time and illustrates the proposed stormwater features that were revised to how they exist today. Site redevelopment and grading was placed on hold as a result of the economic downturn from 2007 to 2010. Redevelopment of the site is proposed again.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

CONNECTED. The nearest TNW is the Mispillion River which is approximately 25 feet from aquatic resource S. Aside from Delineation Area S, the aquatic resources within the review area do not have a continuous surface connection to the TNW.⁶

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER. Delineation Area S discharges into Stormwater Swale S3, which discharges into an off-site City of Milford stormwater management facility with an outlet into the City of Milford 36" corrugated metal pipe, which discharges into the Mispillion River in the northeast portion of the review area. All other features have no flowpath into a TNW, territorial sea or interstate water.
6. SECTION 10 JURISDICTIONAL WATERS⁷: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.⁸ N/A
7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended, consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

⁶ This MFR should not be used to complete a new stand-alone TNW determination. A stand-alone TNW determination for a water that is not subject to Section 9 or 10 of the Rivers and Harbors Act of 1899 (RHA) 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.

⁷ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

⁸ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

- a. Traditional Navigable Waters (TNWs) (a)(1)(i): N/A
- b. The Territorial Seas (a)(1)(ii): N/A
- c. Interstate Waters (a)(1)(iii): N/A
- d. Impoundments (a)(2): N/A
- e. Tributaries (a)(3): N/A
- f. Adjacent Wetlands (a)(4): N/A
- g. Additional Waters (a)(5): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified in the 2023 Rule as amended as not “waters of the United States” even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature within the review area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).⁹

Delineation Area S (0.17 acre) is a stormwater feature that does not exist prior to 2006. The feature was constructed in uplands as part of an erosion and sediment control plan in 2006 (see attached plan) and is accompanied by a Notice of Intent for Stormwater Discharges Associated with Construction Activity Under a NPDES General Permit (attached). Delineation Area S captures stormwater sheet flow from the surrounding uplands and streets providing sediment and nutrient uptake prior to discharging into the city of Milford’s municipal stormwater system. A concrete riverwalk and bulkhead in uplands separate stormwater feature S from the nearby Mispillion River. Delineation Area S does have a continuous surface connection to the Mispillion River via Stormwater Swale S3 which empties into an offsite stormwater management facility that has an outfall into the Mispillion River. Because Delineation Area S is still providing stormwater treatment as it was originally intended and will continue to be part of a proposed stormwater plan, Delineation Area S meets the (b)(1) Waste Treatment Systems exclusion and is, therefore, not jurisdictional.

⁹ 88 FR 3004 (January 18, 2023)

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

Stormwater Basin S2 (0.013 acre) is a stormwater feature that does not exist prior to 2006. The feature was constructed in uplands as part of an erosion and sediment control plan in 2006 (see attached plan) and is accompanied by a Notice of Intent for Stormwater Discharges Associated with Construction Activity Under a NPDES General Permit (attached). Feature S2 is void of vegetation and exists as an infiltration basin, providing nutrient sequestration by capturing stormwater from the surrounding uplands. A concrete riverwalk and bulkhead in uplands separate stormwater feature S2 from the nearby Mispillion River. Feature S2 does not have a continuous surface connection to the Mispillion River. Because Stormwater Basin S2 is still providing stormwater treatment as it was originally intended and will continue to be part of a proposed stormwater plan, Stormwater Basin S2 meets the (b)(1) Waste Treatment Systems exclusion and is, therefore, not jurisdictional.

Stormwater Swale S3 (0.02 acre) is a stormwater feature that does not exist prior to 2006. The feature was constructed in uplands in 2006 but was not part of the erosion and sediment control plan in 2006 (see attached plan). Stormwater Swale S3 captures stormwater sheet flow from the surrounding uplands and streets providing sediment and nutrient uptake prior to discharging into the city of Milford's municipal stormwater system. A concrete riverwalk and bulkhead in uplands separate Stormwater Swale S3 from the nearby Mispillion River. Stormwater Swale S3 does have a continuous surface connection to the Mispillion River via an offsite stormwater management facility that has an outfall into the Mispillion River. Because Stormwater Swale S3 is still providing stormwater treatment as it was originally intended and will continue to be part of a proposed stormwater plan, Delineation Area S meets the (b)(1) Waste Treatment Systems exclusion and is, therefore, not jurisdictional.

- b. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Delineation Area W (0.04 acre) is a feature that does not exist prior to 2006. The feature was constructed in uplands in 2006 but was not part of the erosion and sediment control plan in 2006 (see attached plan). A concrete riverwalk and bulkhead in uplands separate Delineation Area W from the nearby Mispillion River. Delineation Area W has no continuous surface connection to a relatively permanent waterway or any other aquatic features on the site. For these reasons, Delineation Area W does not meet the (a)(5) definition of Waters of the United States and is, therefore, not jurisdictional.

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

Delineation Area G (0.11 acre) has developed as a result of unfinished upland site grading. Based off of aerial imagery, this feature does not exist prior to 2011 and forms sometime between 2011 and 2015. Aquatic feature G is separated from aquatic resource W via a berm. This feature does not have a continuous surface connection to an (a)(1) to (a)(3) water, and therefore does not meet the definition of an (a)(4) adjacent wetland. If construction activities were on-going, this feature would likely meet the (b)(7) Certain Waterfilled Depressions Created in Dry Land exclusion. As such, aquatic feature G does not meet the definition of Waters of the United States and is therefore, non-jurisdictional.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.
 - a. USACE site visit conducted on April 23, 2024.
 - b. Letter from Environmental Resource Insights, dated April 2, 2024.
 - c. Appendix 1-Request for Corps Jurisdictional Determination (JD), signed on March 12, 2024.
 - d. UNITED STATES DEPARTMENT OF AGRICULTURE NATURAL RESOURCES CONSERVATION SERVICE, WEB SOIL SURVEY SOIL MAP-SUSSEX COUNTY, DELAWARE (MILFORD HOUSING DEVELOPMENT CORPORATION, dated March 5, 2024.
 - e. UNITED STATES FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MHDC, dated March 5, 2024.
 - f. SCHEMATIC EROSION & SEDIMENT CONTROL PLAN PRE-BULK GRADING PROJECT: FISHERHAWKE LANDING * PHASE ONE, prepared by Merestone Consultants, Incorporated, dated January 30, 2006 and revised on March 6, 2006, sheet ES-1
 - g. RIVERWALK 2002, as accessed from FirstMap Delaware on March 7, 2024.
 - h. DELAWARE HISTORIC MAPS 2007, as accessed from FirstMap Delaware on November 22, 2023.
 - i. WETLAND DETERMINATION FORM – ATLANTIC AND GULF COASTAL PLAIN REGION, prepared by Environmental Resource Insights, dated April 11, 2016.

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

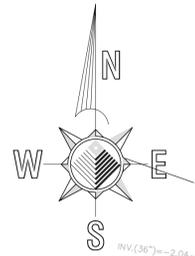
- j. NON-JURISDICTIONAL FEATURES DELINEATION PLAN FOR PROPERTY KNOWN AS: RIVERWALK VILLAS ALSO KNOWN AS: #401 MISPILLION STREET PREPARED FOR: MILFORD HOUSING DEVELOPMENT CORP., prepared by Merestone Consultants, Incorporated, dated March 5, 2024 and revised on March 8, 2024 and again on April 25, 2024, Sheet WT-1.
 - k. RIVERWALK VILLAS, MILFORD, SUSSEX CO., DELAWARE, 8 photographs dated April 11, 2016.
 - l. NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER A NPDES GENERAL PERMIT, dated January 20, 2006, 2 sheets.
 - m. MEMORANDUM TO RE-EVALUATE JURISDICTION FOR SAS-2001-13740, dated February 2, 2024.
10. OTHER SUPPORTING INFORMATION. In order to be covered by the regulatory exclusion, a (b)(1) waste treatment system must be “designed to meet the requirements of the Clean Water Act.” 33 CFR 328.3 (2014). A waste treatment system may be “designed to meet the requirements of the Clean Water Act” where, for example, it is constructed pursuant to a CWA section 404 permit, *Ohio Valley Env'tl. Coalition v. Aracoma Coal Co.*, 556 F.3d 177, 214–15 (4th Cir. 2009), or where it is “incorporated in an NPDES permit as part of a treatment system,” *N. Cal. River Watch v. City of Healdsburg*, 496 F.3d 993, 1001 (9th Cir. 2007).

Waters that are part of an approved NPDES permit for stormwater are not automatically covered under the waste treatment system exclusion. The waters must function as a waste treatment system and serve a treatment purpose to be covered under the waste treatment system exclusion. Not only does this site have a Sediment and Erosion Control plan, but it also has an accompanied NOI for stormwater discharges designed to meet the requirements of the Clean Water Act. Furthermore, Stormwater Basin S2, Delineation Area S and Stormwater Swale S3 continue to provide sediment and nutrient sequestration by collecting overland sheetflow from precipitation events prior to discharging into a municipal stormwater system. Because Stormwater Basin S2, Delineation Area S and Stormwater Swale S3 continue to function as stormwater features, the (b)(1) exclusion is met.

CENAP

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), NAP-2024-00310-85

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.



| STORMWATER BASIN "S2" | | |
|------------------------|---------------|--------|
| Delineation Line Table | | |
| Line # | Direction | Length |
| L1 | N39° 33' 55"W | 12.65' |
| L2 | N08° 16' 37"W | 6.42' |
| L3 | N63° 05' 22"E | 6.06' |
| L4 | S66° 31' 05"E | 21.36' |
| L5 | S70° 04' 00"E | 43.70' |
| L6 | S36° 04' 38"E | 5.40' |
| L7 | N76° 09' 29"W | 43.55' |
| L8 | S85° 14' 40"W | 18.05' |

| Delineation Line Table "W" | | |
|----------------------------|---------------|--------|
| Line # | Direction | Length |
| L1 | N21° 33' 38"E | 17.32' |
| L2 | N47° 40' 51"E | 19.86' |
| L3 | S58° 07' 16"E | 24.00' |
| L4 | S02° 42' 58"W | 31.18' |
| L5 | S37° 51' 23"W | 14.93' |
| L6 | N65° 17' 23"W | 14.09' |
| L7 | N41° 38' 27"W | 27.07' |

| Delineation Line Table "S" | | |
|----------------------------|---------------|--------|
| Line # | Direction | Length |
| L1 | S70° 19' 49"W | 8.41' |
| L2 | S08° 38' 05"W | 14.10' |
| L3 | S56° 49' 04"E | 37.14' |
| L4 | S79° 10' 52"E | 47.70' |
| L5 | N89° 58' 03"E | 60.25' |
| L6 | N74° 58' 02"E | 41.14' |
| L7 | N69° 46' 52"E | 54.06' |
| L8 | N71° 39' 00"E | 46.72' |
| L9 | N34° 49' 29"E | 48.09' |
| L10 | S36° 07' 11"E | 21.16' |
| L11 | S63° 56' 30"W | 43.91' |
| L12 | S41° 44' 03"W | 39.52' |
| L13 | S42° 27' 53"W | 31.81' |
| L14 | S85° 16' 38"W | 37.51' |
| L15 | S85° 44' 06"W | 56.81' |
| L16 | N88° 05' 44"W | 41.19' |
| L17 | N68° 10' 52"W | 32.44' |
| L18 | N65° 35' 21"W | 27.88' |

| Delineation Line Table "G" | | |
|----------------------------|---------------|--------|
| Line # | Direction | Length |
| L1 | N08° 28' 41"E | 33.22' |
| L2 | N68° 04' 17"W | 64.92' |
| L3 | S88° 45' 26"W | 59.73' |
| L4 | S41° 38' 36"E | 31.26' |
| L5 | S60° 36' 27"E | 69.10' |
| L6 | S40° 57' 34"E | 39.50' |
| L7 | N14° 37' 44"E | 32.35' |

| STORMWATER SWALE "S3" | | |
|-----------------------|---------------|--------|
| Line # | Direction | Length |
| L19 | S52° 16' 01"E | 7.80' |
| L20 | N34° 46' 42"E | 37.06' |
| L21 | N41° 40' 04"E | 33.79' |
| L22 | S82° 53' 02"E | 20.87' |
| L23 | S44° 15' 51"W | 44.71' |
| L24 | S52° 00' 39"W | 39.09' |
| L25 | S23° 11' 05"E | 10.16' |

PLAN DATA:

| | |
|------------------|---|
| PARCEL I.D. NO. | 330-7.17-11.00 |
| DEED REFERENCE | DB 5841, PG 7 |
| PLAT REFERENCE | PB 306, PG 43 |
| ZONING DISTRICT | R-3 (GARDEN APARTMENTS AND TOWNHOUSE DISTRICT) |
| SEWER | CITY OF MILFORD SANITARY SEWER SYSTEM. THE SEWER SYSTEM IS SUBJECT TO APPROVAL OF THE CITY OF MILFORD DEPARTMENT OF PUBLIC WORKS AND THE STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. |
| WATER SUPPLY | CITY OF MILFORD. THE WATER SYSTEM IS SUBJECT TO THE APPROVAL OF THE CITY OF MILFORD DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DIVISION OF PUBLIC HEALTH. |
| WATERSHED | MIDDLE MISPELLION RIVER |
| OWNER | MILFORD HOUSING DEVELOPMENT, CORP. 977 EAST MASTEN CIRCLE MILFORD, DE 19968 |
| HORIZONTAL DATUM | NAD 83 (NA 2011, EPOCH 2010) |
| VERTICAL DATUM | NAVD '88 |
| EXISTING USE | VACANT |
| NO. OF PARCELS | 1 |
| GROSS AREA | 3.829 AC. |
| SITE ADDRESS | 401 MISPELLION STREET |

- GENERAL NOTES:**
- THE WETLANDS SURVEY FOR THIS PROJECT WAS PERFORMED BY MERESTONE CONSULTANTS, INC. ON MARCH 3, 2024.
 - BASIS OF BEARING: NAD 83 (NA 2011, EPOCH 2010).
 - PORTIONS OF THIS SITE ARE LOCATED WITHIN ZONE "AE" WITH A BASE FLOOD ELEVATION DETERMINED TO BE 9.0'. SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP NUMBER 10005C0041 K, LAST REVISED MARCH 16, 2015. ALL DEVELOPMENT AND/OR CONSTRUCTION ACTIVITIES WITHIN THE DESIGNATED FLOOD ZONE SHALL BE PERFORMED IN ACCORDANCE WITH THE FLOOD PLAIN STANDARDS AND SPECIFICATIONS SET FORTH BY THE CITY OF MILFORD.
 - THE BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MAY BE REVEALED BY A THOROUGH TITLE SEARCH.
 - COPYRIGHT © 2024 MERESTONE CONSULTANTS, INC. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOCOPIING, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED, OR TRANSMITTED IN OR BY ANY COMPUTER OR OTHER SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF MERESTONE CONSULTANTS, INC. COPIES OF THIS PLAN WITHOUT COLORED INK SIGNATURE AND A RAISED IMPRESSION SEAL ARE NOT VALID.
 - THE LOCATIONS OF UNDERGROUND UTILITIES ARE PROVIDED USING THE BEST AVAILABLE INFORMATION WHICH INCLUDES FIELD LOCATIONS OF VISIBLE FEATURES AND REVIEW OF EXISTING PLANS.

LEGEND

| | |
|---------------------------------|-----------------|
| PROPERTY LINE | --- |
| EASEMENT LINE | ++ |
| CENTERLINE | --- |
| 100 YEAR FLOODPLAIN | SFHA |
| RIPARIAN BUFFER SETBACK | RSL |
| FENCE LINE | --- |
| TREELINE | --- |
| BEARING DEED DESCRIPTION | (N12° 05' 49"E) |
| NON-JURISDICTIONAL FEATURES | --- |
| RECREATIONAL OPEN SPACE | --- |
| SIDEWALK, CURB & EDGE OF PAVING | --- |
| SANITARY SEWER LINES | --- |
| WATER LINES | --- |
| CONTOURS | --- |
| FIRE HYDRANT | --- |
| FIRE DEPARTMENT CONNECTION | --- |
| BLOW OFF | --- |
| WATER METER | --- |
| STORM SEWER (RCP) | --- |
| STORM SEWER (CMP) | --- |
| STORM CATCH BASIN | --- |
| SIGN | --- |
| CAPPED REBAR SET | --- |
| IRON PIN FOUND | --- |
| IRON PIN IN CONCRETE FOUND | --- |
| SOIL BORING | --- |
| DELINEATION FLAG | --- |
| PHOTOGRAPH VIEW LOCATION | --- |

NON-JURISDICTIONAL FEATURES DELINEATION PLAN
 FOR PROPERTY KNOWN AS:
RIVERWALK VILLAS
 ALSO KNOWN AS:
#401 MISPELLION STREET
 PREPARED FOR:
MILFORD HOUSING DEVELOPMENT CORP.
 CITY OF MILFORD * SUSSEX COUNTY
 STATE OF DELAWARE
 TAX MAP #: 330-7.17-11.00
 SCALE: 1" = 30'



Non-Jurisdictional

| ID | Description | Ac. | Interpretation |
|----|-------------------------|------|-----------------------|
| G | Construction Activities | 0.11 | No surface connection |
| W | Stormwater | 0.04 | No surface connection |

Exclusions

| ID | Description | Ac. | Excl. |
|----|------------------|------|-------------|
| S | Stormwater | 0.17 | b(1) |
| S2 | Stormwater Basin | 0.01 | b(1) |
| S3 | Stormwater Swale | 0.02 | b(1) & b(8) |

APPROVED: _____ DATE: _____
 PROFESSIONAL ENGINEER

MERESTONE CONSULTANTS, INC.
 ENGINEERS - PLANNERS - SURVEYORS

5215 WEST WOODMILL DRIVE WILMINGTON, DE 19808
 33516 CROSSING AVENUE UNIT 1, FIVE POINTS SQUARE LEWES, DE 19958

PH: 302-992-7900 PH: 302-228-5880

| DATE | REVISION | CHKD. | DRAWN BY: | DATE | SHEET# |
|---------|-------------------|--------|-----------|------------|--------|
| 4/25/24 | PER ERI REVISIONS | R.A.G. | | 03/05/2024 | SP-2 |
| 3/8/24 | PER ERI REVIEW | R.A.G. | | | |