APPROVED JURISDICTIONAL DETERMINATION FORM

U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATIO	N
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A.	REPORT COMPLETION	DATE FOR APPROVED	JURISDICTIONAL	DETERMINATION	(JD): April 8, 2022
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B. DIS	STRICT OFFICE, FILE NAME, AND NUMBER: NAO-2021-0955
C. PR	OJECT LOCATION AND BACKGROUND INFORMATION:
Stat	te:VA County/parish/borough: City: Chesapeake
Cen	nter coordinates of site (lat/long in degree decimal format): Lat. 36.668433° N, Long76.234232° W. Universal Transverse Mercator: 18
Nar	ne of nearest waterbody: Coopers Ditch
Nar	ne of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Intracoastal Water Way ne of watershed or Hydrologic Unit Code (HUC): 03010205
\boxtimes	Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
	Check if other sites (e.g., offsite mitigation sites, disposal sites, etc) are associated with this action and are recorded on a different JD form.
	D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
\boxtimes	Office (Desk) Determination. Date: 12-13 April desk work completing Rapanoes
\boxtimes	Field Determination. Date(s): April 1, 2021, April 7, 2021, October 13, 2021
	N II: SUMMARY OF FINDINGS
A. RHA	A SECTION 10 DETERMINATION OF JURISDICTION.
revie <u>w</u> a	re No "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the rea. [Required]
	Waters subject to the ebb and flow of the tide. Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce Explain: .
B. CWA	A SECTION 404 DETERMINATION OF JURISDICTION.
There Aı	re "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]
	Waters of the U.S.
	a. Indicate presence of waters of U.S. in review area (check all that apply): 1
	TNWs, including territorial seas
	Wetlands adjacent to TNWs
	TNWs, including territorial seas Wetlands adjacent to TNWs Relatively permanent waters ² (RPWs) that flow directly or indirectly into TNWs Non-RPWs that flow directly or indirectly into TNWs Wetlands directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs Impoundments of jurisdictional waters Isolated (interstate or intrastate) waters, including isolated wetlands
	Non-RPWs that flow directly or indirectly into TNWs
	Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
	Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
	Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
	Impoundments of jurisdictional waters
	Isolated (interstate or intrastate) waters, including isolated wetlands
	b. Identify (estimate) size of waters of the U.S. in the review area:
	Non-wetland waters: 7447-27 linear feet: 5 feet width (ft) and/or acres

c. Limits (boundaries) of jurisdiction based on: Established by OHWM and 1987 Delineation Manual and AGCP

Elevation of established OHWM (if known): All tributaries are well defined and jurisdictional as seasonal RPW's. The tributary on the western border is connected by a wetland that is between tributaries. Aerial pictures show a wet feature from southwest corner to tributary, fields were wet on dates that were visited.

2. Non-regulated waters/wetlands (check if applicable):³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: **PC fields are exempt from regulations not non-jurisdictional.**

Wetlands: 9.74 acres.

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1.	INW Identify TNW:	
	Summarize rationale supporting determination: .	
2.	Wetland adjacent to TNW Summarize rationale supporting conclusion that wetland is "adjacent":	

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: 874.75 Drainage area: 320.3

Average annual rainfall: 47.4 inches Average annual snowfall: 5.3 inches

(ii) Physical Characteristics:

(a)	Relations	hip	with	TNW:

☐ Tributary flows directly into TNW.

☐ Tributary flows through 2 tributaries before entering TNW.

Project waters are 2 to 5 river miles from TNW.

Project waters are 0 river miles from RPW.

Project waters are 2 to 5 aerial (straight) miles from TNW.

Project waters are 0 aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain:

Identify flow route to TNW^5 : Tributary (multiple) to Coopers Ditch to Intracoastal Waterway. Tributary stream order, if known: 2.

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b)	General Tribut	ary Characteristics (check all	that apply):	
	Tributary is: Natural				
	Artificial (man-made). Explain: Tributaries flow north offsite into man-altered natural tributaries.				
	Manipulated (man-altered). Explain: Tributary. Tributary properties with respect to top of bank (estimate):				
		width: 5 feet	Jank (Estin	nate)	•
	_	depth: 5 feet			
		side slopes: 2:1 Pick List.			
		ary substrate composition (ch	eck all that	app	ly):
	☐ Silts ☐ Cobbl	☐ Sands les ☐ Gravel			☐ Concrete ☐ Muck
	☐ Bedro		Type/%	COVE	_
		. Explain: Unconsolidated /cla			A.
		lition/stability [e.g., highly ero			g banks]. Explain: stable.
		n/riffle/pool complexes. Expl			ches to drain fields that flow off-site north to man-altered
tributaries.	Tilbutary geom	ietry. no geometry basically s	u aigiit-iiii	e un	thes to drain fleids that flow off-site north to man-aftered
	Tributary grad	ient (approximate average slo	pe): <1 %		
(c)	Flow:				
		rides for: Seasonal Flow			
		ge number of flow events in r			
		flow regime: Fast moving wat			n events. le of seasonal would be water from storms that have water
flowing in trib	outary for severa		Duration	uusi	de of seasonal would be water from storms that have water
_				_	
he from the ak					low is confined to tributaries, while the input (discrete) would n end of Area of Interest (AOI).
be moin the at	Jutting FTO, FC	rielus and undeveloped areas	s at the sou	шсп	Tellu of Alea of Interest (AOI).
		w: No Unknown . Explain fin	dings: No	t test	red.
	☐ Dye (o	or other) test performed:	•		
	Tributary has ((check all that apply):			
	☐ Bed an	nd banks			
		M ⁶ (check all indicators that a			
		ear, natural line impressed on nanges in the character of soil			the presence of litter and debris destruction of terrestrial vegetation
		nelving		\boxtimes	the presence of wrack line
		egetation matted down, bent, o		\boxtimes	sediment sorting
		af litter disturbed or washed a			scour
		ediment deposition water staining		XI -	multiple observed or predicted flow events abrupt change in plant community
		ther (list):		ш	abrupt change in plant community
		ntinuous OHWM. ⁷ Explain:			
	_ 2,500	Enpium			
					eral extent of CWA jurisdiction (check all that apply):
		Tide Line indicated by: il or scum line along shore obj			n High Water Mark indicated by: survey to available datum;
		ne shell or debris deposits (fo		_	physical markings;
		nysical markings/characteristi			regetation lines/changes in vegetation types.
	☐ tio	dal gauges			
	☐ ot	ther (list):			
	emical Charact				
Cha					film; water quality; general watershed characteristics, etc.).
					s, he forested wetlands drain into the tributaries early in the riven but last several days because of the drainage area.

⁶A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

Tibid.

 $Identify\ specific\ pollutants, if\ known:\ Major\ pollutant\ would\ be\ sediment\ from\ field\ right\ outside\ of\ forested\ wetland\ area.\ .$

\boxtimes	ogical Characteristics. Channel supports (check all that apply): Riparian corridor. Characteristics (type, average width): width varies only contiguous piece of woods left between fields
	Wetland fringe. Characteristics: Habitat for:
	Federally Listed species. Explain findings: Foraging area for Northern long eared bat (Myotis septentrionalis). □ Fish/spawn areas. Explain findings:
	☐ Other environmentally-sensitive species. Explain findings: ☐ Aquatic/wildlife diversity. Explain findings:
2. Characte	eristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW
	sical Characteristics:
	General Wetland Characteristics:
	Properties:
	Wetland size: 9.74 acres Wetland type. Explain: PFO.
	Wetland quality. Explain: Water quality varied from days with no storm events (water clear) to days with storm
events (water	
	Project wetlands cross or serve as state boundaries. Explain: N/A (No).
(b)	General Flow Relationship with Non-TNW: Flow is: Intermittent, Explain: Tributaries (RPW's) will have continuous flow during early growing season and during
rain events the	e flow will be present for numerous days. Ditch on western boundary is connected by PC field, sheet flow and high-water
	an occur during any time of year which contributes to the flow regime. Growing season is not part of flow regime in
streams or trib	outaries.
	Surface flow is: Discrete and confined
	Characteristics: Flow is confined to tributaries. Discrete water input is from surrounding wetlands that drain into
tributaries and	I the ditches in PC fields. PC fields also contribute to the discrete flow.
	Subsurface flow: Unknown. Explain findings: Was not observed during site visits. Dye (or other) test performed:
(c)	Wetland Adjacency Determination with Non-TNW:
	☐ Directly abutting
	☐ Not directly abutting ☐ Discrete wetland hydrologic connection. Explain:
	☐ Ecological connection. Explain: ☐ Ecological connection. Explain:
	☐ Separated by berm/barrier. Explain:
	_ separated by bering our let. Explain.
(d)	Proximity (Relationship) to TNW Project wetlands are 2-5 river miles from TNW.
	Project waters are 2-5 aerial (straight) miles from TNW.
	Flow is from: Wetlands to navigable waters.
	Estimate approximate location of wetland as within the 5-10 year floodplain.
	mical Characteristics:
Cha	racterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed
	characteristics; etc.). Explain: Water was clear when there were no rain events. Water was murky during rain or right after rain events.
Ider	after rain events. https://example.com/rainly-sedimentation-from-ditches-and-undeveloped-fields-adjacent-to-site.
(:::) D:-1	
	ogical Characteristics. Wetland supports (check all that apply): Riparian buffer. Characteristics (type, average width): Mixed hard wood and soft wood forest. Buffer size varies
throughout the	e site.
	Vegetation type/percent cover. Explain: 100 percent vegetation cover in PFO. Ditches varied from 80 percent cover (not
maintained) to season and sto	ono cover, most likely because of the inability of vegetation to grow because of velocity of water during early growing
	Habitat for:
	☑ Federally Listed species. Explain findings: Most likley foraging area for Northern long eared bat (Myotis
entrionalis).	Fish/snawn areas Explain findings:
	☐ Fish/spawn areas. Explain findings: ☐ Other environmentally-sensitive species. Explain findings:
	Aquatic/wildlife diversity. Explain findings:

3. Characteristics of all wetlands adjacent to the tributary (if any)
All wetland(s) being considered in the cumulative analysis: 1
Approximately (9.74) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

<u>Directly abuts? (Y/N)</u> <u>Size (in acres)</u> <u>Directly abuts? (Y/N)</u> <u>Size (in acres)</u> y 9.74

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions per formed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW? Yes
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for f ish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW? Yes
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs? Yes
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW? Provides a corridor for fauna to migrate and for flora to expand its range

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

- 1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
- 2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
- 3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1.	TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area: ☐ TNWs: linear feet width (ft), Or, acres. ☐ Wetlands adjacent to TNWs: acres.
2.	RPWs that flow directly or indirectly into TNWs. Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
	Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: Observation from IIIB and visual observation in early part of growing season.

	Provide estimates for jurisdictional waters in the review area (check all that apply): Tributary waters: greater than 3 months out of the year Other non-wetland waters: Identify type(s) of waters:
3.	Non-RPWs ⁸ that flow directly or indirectly into TNWs. Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.
	Provide estimates for jurisdictional waters within the review area (check all that apply): Tributary waters: linear feet width (ft). Other non-wetland waters: acres. Identify type(s) of waters: .
4.	Wetlands directly abutting an RPW that flow directly or indirectly into TNWs. Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands. Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:
	Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: The PFO wetland 9.74 acres are abutting different tributaries. Tributaries within the Area of Interest (AOI) is 7,447.27 linear feet and approximately 5-feet wide. Site visits on April 1 st and 7 th as well as October 13 th site visits showed that tributaries were abutting in different areas.
	Provide acreage estimates for jurisdictional wetlands in the review area: 9.74 acres.
5.	Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs. Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.
	Provide acreage estimates for jurisdictional wetlands in the review area: acres.
6.	Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs. Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.
	Provide estimates for jurisdictional wetlands in the review area: acres.
7.	Impoundments of jurisdictional waters. As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional. Demonstrate that impoundment was created from "waters of the U.S.," or Demonstrate that water meets the criteria for one of the categories presented above (1-6), or Demonstrate that water is isolated with a nexus to commerce (see E below).
SUC	Demonstrate that water is isolated with a nexus to commerce (see E below). DLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, GRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY CH WATERS (CHECK ALL THAT APPLY): 10 which are or could be used by interstate or foreign travelers for recreational or other purposes. from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. which are or could be used for industrial purposes by industries in interstate commerce. Interstate isolated waters. Explain: Other factors. Explain:

E.

 ⁸See Footnote#3.
 To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
 Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

Idor	atify:	water body and summarize rationale supporting determination:
Iuci		vide estimates for jurisdictional waters in the review area (check all that apply):
		Tributary waters: linear feet width (ft).
		Other non-wetland waters: acres.
		Identify type(s) of waters:
		Wetlands: acres.
	_	Wedands. deles.
F.	NO	N-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
		If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers
	_	Wetland Delineation Manual and/or appropriate Regional Supplements.
		Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
		Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the
		"Migratory Bird Rule" (MBR). Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:
		Other: (explain, if not covered above):
	Prov	vide acreage estimates for non-jurisdictional waters in the review area, where the <u>sole</u> potential basis of jurisdiction is the MBR
		ors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional
	judg	ement (check all that apply):
		Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
		Lakes/ponds: acres.
		Other non-wetland waters: acres. List type of aquatic resource: .
		Wetlands: acres.
	ъ	
		vide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such adding is required for jurisdiction (check all that apply):
		Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
		Lakes/ponds: acres.
		Other non-wetland waters: acres. List type of aquatic resource: .
		Wetlands: acres.
	_	
SEC	CTIO	N IV: DATA SOURCES.
Δ	SUPI	PORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked
		requested, appropriately reference sources below):
		Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
		Data sheets prepared/submitted by or on behalf of the applicant/consultant.
		☑ Office concurs with data sheets/delineation report.
	_	Office does not concur with data sheets/delineation report.
	\boxtimes	Data sheets prepared by the Corps: Corps datasheets in folder and in dataviewer.
		Corps navigable waters' study:
		U.S. Geological Survey Hydrologic Atlas:
		USGS NHD data.
	\boxtimes	☐ USGS 8 and 12 digit HUC maps. U.S. Geological Survey map(s). Cite scale & quad name: City of Chesapeake 2013.
		USDA Natural Resources Conservation Service Soil Survey. Citation: Chesapeake.
		National wetlands inventory map(s). Cite name: City of Chesapeake 2013.
		State/Local wetland inventory map(s): .
		FEMA/FIRM maps: .
		100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
	\boxtimes	Photographs: ☐ Aerial (Name & Date):
		or Other (Name & Date): Corps April 7 and October 13, 2021.
		Previous determination(s). File no. and date of response letter:
		Applicable/supporting case law:
		Applicable/supporting scientific literature: .
		Applicable/supporting scientific inerature.
		Other information (please specify): AGCP Regional Supplement, ArcPro, Lidar, and Collector, City stormwater Planimetric maps.

B. ADDITIONAL COMMENTS TO SUPPORT JD: Corps has done its own data sheets and pits all three parameters met. Look at dataviewer for locations. Attached will be pictures with captions showing RPW call and soils as well as hydrology in pits.