

LRP-2008-00249

Form Information

JD Form Type: Isolate/Upland

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Hancock
City	Chester
Lat	-80.557212
Long	40.617885
Nearest Waterbody	Mark's Run
TNW into which the aquatic resource flows	Ohio River
Watershed or HUC	5030101
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input checked="" type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	17T

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Isolate/Upland Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 3

Office Determination Date 20-Feb-2008

Field Determination Date(s)

Request Date 22-Jan-2008

Offsite

Area .01

Linear

Limits basis 1987 Delineation Manual

OHWM Elevation (if known)

LRP-2008-00249

Selected Water

Folder LRP-2008-00249
 Form JD3
 Name 2008-249 isolated wetland 8th and Piusus
 Local Waterway Mark's Run

Determination

Type Isolated (interstate or intrastate) waters, including isolated wetlands
 Area 40.46856

Isolated Waters

[Interstate or Intra-state] waters, including isolated wetlands, the use, degradation or destruction of which could affect interstate commerce, including any such waters (check all that apply).

- 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

Interstate Detail

- Interstate isolated waters

Other factors

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.

LRP-2008-00249

Form Information

JD Form Type: Nonseasonal

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Hancock
City	Chester
Lat	-80.557212
Long	40.617885
Nearest Waterbody	Mark's Run
TNW into which the aquatic resource flows	Ohio River
Watershed or HUC	5030101
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input checked="" type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	17T

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Nonseasonal Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

 Office Determination Date 20-Feb-2008 Field Determination Date(s)

Request Date 22-Jan-2008

Offsite

Area

Linear 180

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00249

Selected Water

Folder LRP-2008-00249
Form JD1
Name 2008-249 UNT Mark's Run 8th and Plutus site
Local Waterway unnamed tributary to Mark's Run

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
Linear 60.96
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry []

Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.
 # of flow events [] (Estimate average number of flow events in review area/year)
 Describe flow regime

Other information on duration and volume

Surface flow []

Characteristics:

Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil
 - shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
 - the presence of litter and debris
 - destruction of terrestrial vegetation
 - the presence of wrack line
 - sediment sorting
 - scour
 - multiple observed or predicted flow events
 - abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- High Tide Line indicated by
 - oil or scum line along shore objects
 - fine shell or debris deposits (foreshore)
 - physical markings/characteristics
 - tidal gauges
 - other (list):
- Mean High Water Mark indicated by
 - survey to available datum;
 - physical markings;
 - vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
 Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor
- Wetland fringe
- Habitat for
 - Federally Listed species
 - Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00249

Form Information

JD Form Type: Nonseasonal

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Hancock
City	Chester
Lat	-80.557212
Long	40.617885
Nearest Waterbody	Mark's Run
TNW into which the aquatic resource flows	Ohio River
Watershed or HUC	5030101
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input checked="" type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	17T

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Nonseasonal Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

 Office Determination Date 20-Feb-2008 Field Determination Date(s)

Request Date 22-Jan-2008

Offsite

Area

Linear 180

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00249

Selected Water

Folder LRP-2008-00249
 Form JD2
 Name 2008-249 Mark's Run 8th and Plutus Pottery site
 Local Waterway Mark's Run

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 54.864
 Flow Intermittent flow.
 Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order: 1

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry []

Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.
 # of flow events [] (Estimate average number of flow events in review area/year)
 Describe flow regime

Other information on duration and volume

Surface flow []

Characteristics:

Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil
 - shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
 - the presence of litter and debris
 - destruction of terrestrial vegetation
 - the presence of wrack line
 - sediment sorting
 - scour
 - multiple observed or predicted flow events
 - abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- High Tide Line indicated by
 - oil or scum line along shore objects
 - fine shell or debris deposits (foreshore)
 - physical markings/characteristics
 - tidal gauges
 - other (list):
- Mean High Water Mark indicated by
 - survey to available datum;
 - physical markings;
 - vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
 Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor
- Wetland fringe
- Habitat for
 - Federally Listed species
 - Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Not Isolate

Project Location and Background Information

State PA - Pennsylvania
 County/parish/borough Allegheny
 City McCandless Twp.
 Lat 40.5685083333333
 Long -80.0256277777778
 Nearest Waterbody UNT Little Pine Creek
 TNW into which the aquatic resource flows Allegheny River
 Watershed or HUC 5010009
 Map or diagram available (Review or Jurisdictional Area)
 JD recorded associated sites? (e.g., offsite mitigation sites, disposal sites, etc.)
 Universal Transverse Mercator:

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Not Isolate Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 5

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 143

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- * Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles:	5-10
Aerial miles:	5-10

RPW Distance to Project Waters

River miles:	1 (or less)
Aerial miles:	1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT 3C flows into UNT3 which flows into UNT2 into UNT Little Pine Creek into Little Pine Creek into Pine Creek which flows into the Allegheny River.

Significant Nexus Characteristics

Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands

Findings for: 2008-288 McKnight Town Center, UNT 3C Little Pine Creek

Given the small size of UNT 3C Little Pine Creek and the small drainage area there is little to no capacity for this tributary to carry pollutants or flood waters to the TNW. Being as this tributary is ephemeral no fish were found in it. Lifecycle support functions would be extremely limited within a tributary such as this that is dry much of the year. A small amount of carbon may be transported by this tributary during heavy rain events but would amount to a negligible percentage for downstream foodwebs. Therefore UNT 3C Little Pine Creek does not have more than a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW. It is for this reason that this nRPW cannot be taken jurisdiction of.

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD5
 Name 2008-288 McKnight Town Center, UNT 3C Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Non-RPWs that flow directly or indirectly into TNWs
 Linear 43.5864

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 4
 Average Depth
 Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Perennial flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow []

Characteristics:

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Not Isolate

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Not Isolate Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 6

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 82

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- * Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 5-10
 Aerial miles: 5-10

RPW Distance to Project Waters

River miles: 1 (or less)
 Aerial miles: 1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT 3B flows into UNT 3 flows into UNT 2 which flows into UNT Little Pine Creek which flows into Little Pine Creek which flows into Pine Creek which empties into the Allegheny River.

Significant Nexus Characteristics

Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands

Findings for: 2008-288 McKnight Town Center, UNT 3B Little Pine Creek

Given the small size of UNT 3B Little Pine Creek and the small drainage area there is little to no capacity for this tributary to carry pollutants or flood waters to the TNW. Being as this tributary is ephemeral no fish were found in it. Lifecycle support functions would be extremely limited within a tributary such as this that is dry much of the year. A small amount of carbon may be transported by this tributary during heavy rain events but would amount to a negligible percentage for downstream foodwebs. Therefore UNT 3B Little Pine Creek does not have more than a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW. It is for this reason that this nRPW cannot be taken jurisdiction of.

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD6
Name 2008-288 McKnight Town Center, UNT 3B Little Pine Creek
Local Waterway UNT Little Pine Creek

Determination

Type Non-RPWs that flow directly or indirectly into TNWs
Linear 24.9936

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 2

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Perennial flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow []

Characteristics:

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Not Isolate

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Not Isolate Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 9

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 193

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 5-10
 Aerial miles: 5-10

RPW Distance to Project Waters

River miles: 1 (or less)
 Aerial miles: 1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT 5A flows into UNT5 which flows into UNT 1 which flows into Little Pine Creek which flows into Pine Creek which flows into the Allegheny River.

Significant Nexus Characteristics

Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands

Findings for: 2008-288 McKnight Town Center, UNT 5A Little Pine Creek

Given the small size of UNT 5A Little Pine Creek and the small drainage area there is little to no capacity for this tributary to carry pollutants or flood waters to the TNW. Being as this tributary is ephemeral no fish were found in it. Lifecycle support functions would be extremely limited within a tributary such as this that is dry much of the year. A small amount of carbon may be transported by this tributary during heavy rain events but would amount to a negligible percentage for downstream foodwebs. Therefore UNT 5A Little Pine Creek does not have more than a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW. It is for this reason that this nRPW cannot be taken jurisdiction of.

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD9
Name 2008-288 McKnight Town Center, UNT 5A Little Pine Creek
Local Waterway UNT Little Pine Creek

Determination

Type Non-RPWs that flow directly or indirectly into TNWs
Linear 58.8264

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 2

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Perennial flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics: Flow is confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Not Isolate

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Not Isolate Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 10

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 137

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- ☞ Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 5-10
 Aerial miles: 5-10

RPW Distance to Project Waters

River miles: 1 (or less)
 Aerial miles: 1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT 6 flows into UNT 2 which flows into UNT 1 which flows into Little Pine Creek which flows into Pine Creek which empties into the Allegheny River, a Section 10 Navigable Waterway.

Significant Nexus Characteristics

Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands

Findings for: 2008-288 McKnight Town Center, UNT 6 Little Pine Creek

Given the small size of UNT 6 Little Pine Creek and the small drainage area there is little to no capacity for this tributary to carry pollutants or flood waters to the TNW. Being as this tributary is ephemeral no fish were found in it. Lifecycle support functions would be extremely limited within a tributary such as this that is dry much of the year. A small amount of carbon may be transported by this tributary during heavy rain events but would amount to a negligible percentage for downstream foodwebs. Therefore UNT 6 Little Pine Creek does not have more then a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW. It is for this reason that this nRPW cannot be taken jurisdiction of.

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD10
 Name 2008-288 McKnight Town Center, UNT 6 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Non-RPWs that flow directly or indirectly into TNWs
 Linear 41.7576

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 1
 Average Depth
 Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)
 The UNT is highly eroded and obviously handles high volumes of runoff from MnKnight Road.
 Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Perennial flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow []

Characteristics:

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

 Federally Listed species

 Fish/spawn areas

 Other environmentally-sensitive species

 Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1205

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD10
 Name 2008-288 McKnight Town Center, UNT 6 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Non-RPWs that flow directly or indirectly into TNWs
 Linear 41.7576

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 1
 Average Depth
 Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)
 The UNT is highly eroded and obviously handles high volumes of runoff from MnKnight Road.

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Perennial flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow []

Characteristics:

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

changes in the character of soil

shelving

vegetation matted down, bent, or absent

leaf litter disturbed or washed away

sediment deposition

water staining

other (list):

the presence of litter and debris

destruction of terrestrial vegetation

the presence of wrack line

sediment sorting

scour

multiple observed or predicted flow events

abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

oil or scum line along shore objects

fine shell or debris deposits (foreshore)

physical markings/characteristics

tidal gauges

other (list):

Mean High Water Mark indicated by

survey to available datum;

physical markings;

vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1205

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288

Form JD1

Name 2008-288 McKnight Town Center, Wetland 3

Determination

Type Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Area 12.140568

Characteristics of all wetlands adjacent to the tributary

Directly Abuts?

All wetland(s) being considered in

Summarize overall biological, chemical and physical functions being performed
Wetland 3 formed in a depression that is adjacent to UNT 1 and is separated by a berm from the tributary. Even though this wetland is small it would still provide habitat for certain macro and microorganisms. The wetland would provide the essential lifecycle support functions for the organisms that thrive within it. This wetland would also serve to store floodwaters and help to recharge ground water preventing flooding. Likewise this wetland could help to eliminate certain pollutants before entering the water table. Therefore Wetland 3 does have more than a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW.

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1205

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD1
Name 2008-288 McKnight Town Center, Wetland 4

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 1011.714
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 0.25
Wetland Type PEM
Wetland Quality moderate
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Perennial flow.

Surface flow

Characteristics:

Subsurface Flow

Explain Findings

Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection

Ecological connection

Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:

River miles: 4

Aerial miles: 4(straight miles)

Flow Direction Wetland to navigable waters

Estimate approximate location of wetland as within the floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor
- Vegetation type/percent cover
Explain: *Symplocarpus foetidus*, *Impatiens capensis*, *Agrimonia parviflora*
- Habitat for
 - Federally Listed species
 - Fish/spawn areas
 - Other environmentally-sensitive species
 - Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1205

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD1
Name 2008-288 McKnight Town Center, Wetland 5

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 1821.0852
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 0.45
Wetland Type PEM with some PSS
Wetland Quality moderate
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Perennial flow.
Surface flow
Characteristics:
Subsurface Flow
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

Directly abutting
 Not directly abutting
Discrete wetland hydrologic connection
Ecological connection
Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 4
Aerial miles: 4(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the floodplain.

C Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

B Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor

Type/Width:

- Vegetation type/percent cover

Explain: *Symplocarpus foetidus*, *Impatiens capensis*, *Agrimonia parviflora*, *Cornus* sp., *Lindera benzoin*, *Alnus incana*

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1205

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD1
 Name 2008-288 McKnight Town Center, UNT 1 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 367.284
 Flow Intermittent flow.
 Flow Rationale Blue line on USGS map

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Explain: UNT 1 is culverted under McKnight Road.

Tributary properties with respect to top of bank (estimate):

Average Width 9

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Ephemeral flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics: Flow is confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
- the presence of litter and debris
- destruction of terrestrial vegetation
- the presence of wrack line
- sediment sorting
- scour
- multiple observed or predicted flow events
- abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

Mean High Water Mark indicated by

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Characteristics: Wetland 4 and 5 are both directly abutting this UNT.

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

Explain findings: Many micro and macroorganisms would be dependent upon a stream such as this.

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1061

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD2
Name 2008-288 McKnight Town Center, Wetland 2

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 80.93712
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 0.02
Wetland Type PEM
Wetland Quality
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Ephemeral flow.
Surface flow
Characteristics:
Subsurface Flow
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

Directly abutting
 Not directly abutting
 Discrete wetland hydrologic connection
 Ecological connection
 Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 4
Aerial miles: 4(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

* Vegetation type/percent cover

Explain: Ranunculus repens, Onoclea sensibilis, Impatiens capensis, Agrimonia parviflora

Habitat for

Federally Listed species

... Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1061

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD2
Name 2008-288 McKnight Town Center, Wetland 6

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 222.57708
Flow Ephemeral flow.
Flow Rationale The wetland flows directly into UNT 2 at least 3 months out of the year.

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 0.055
Wetland Type PEM
Wetland Quality
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Ephemeral flow.
Surface flow
Characteristics:
Subsurface Flow
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

Directly abutting
 Not directly abutting
 Discrete wetland hydrologic connection
 Ecological connection
 Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 4
Aerial miles: 4(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Type/Width:

Vegetation type/percent cover

Explain: Salix nigra, Cornus sp., Impatiens capensis

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1061

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
Form JD2
Name 2008-288 McKnight Town Center, Wetland 1

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 2751.86208
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 0.68
Wetland Type PEM and PSS
Wetland Quality moderate
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Ephemeral flow.
Surface flow
Characteristics: The wetland surrounds the impoundment edge and adheres to the contours lines.
Subsurface Flow
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

* Directly abutting
 Not directly abutting
 Discrete wetland hydrologic connection
 Ecological connection
 Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 4
Aerial miles: 4(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Vegetation type/percent cover

Explain: Symplocarpus foetidus, Onoclea sensibilis, Lindera benzoin, Ranunculus repens

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1061

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD2
 Name 2008-288 McKnight Town Center, UNT 2 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 323.3928
 Flow Intermittent flow.
 Flow Rationale Perennial flow is apparent at the confluence point with UNT 1

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Explain: Culverted and impounded at Fairfield Road

Tributary properties with respect to top of bank (estimate):

Average Width 4

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Ephemeral flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics: Flow is confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
- the presence of litter and debris
- destruction of terrestrial vegetation
- the presence of wrack line
- sediment sorting
- scour
- multiple observed or predicted flow events
- abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

Mean High Water Mark indicated by

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Characteristics: Wetland 1, 2, and 6 are all directly abutting UNT 2.

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

Explain findings: Both macro and microorganisms would be dependent upon a stream such as this.

LRP-2008-00288

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 3

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 1197

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD3
 Name 2008-288 McKnight Town Center, UNT 3 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 364.8456
 Flow Intermittent flow.
 Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 8

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Ephemeral flow.

of flow events [] (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics: Flow is confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Characteristics: Wetland 1 also directly abuts this UNT.

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

Explain findings: Both macro and microorganisms would be found in a stream such as this.

LRP-2008-00288

Form Information

JD Form Type: Seasonal

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Seasonal Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 4

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 253

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- * Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 5-10
 Aerial miles: 5-10

RPW Distance to Project Waters

River miles: []
 Aerial miles: []

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT 3A flows into UNT 3 which flows into UNT 2 which flows into UNT Little Pine Creek which flows into Little Pine Creek which flows into Pine Creek which flows into the Allegheny River a Section 10 waterway.

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD4
 Name 2008-288 McKnight Town Center, UNT 3A Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 77.1144
 Flow Ephemeral flow.
 Flow Rationale UNT 3A appeared as though it would flow at least 3 months out of the year.

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 2
 Average Depth
 Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.

of flow events 2-5 (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics: Flow is confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

.. survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Seasonal

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Seasonal Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 7

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 638

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

Tributary flows directly into TNW.

* Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 5-10

Aerial miles: 5-10

RPW Distance to Project Waters

River miles: 1 (or less)

Aerial miles: 1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD7
 Name 2008-288 McKnight Town Center, UNT 4 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 194.4624
 Flow Ephemeral flow.
 Flow Rationale UNT 4 would flow at least 3 months out of the year.

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)
 The banks of this UNT are highly eroding toward the upper most extent.

Describe the presence of run/riffle/pool complexes
Tributary geometry Relatively Straight
Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.
of flow events [] (Estimate average number of flow events in review area/year)
Describe flow regime There appears to be a groundwater influence however this tributary would also flow as a result of rain water running off the school above.

Other information on duration and volume

Surface flow Confined
Characteristics: Flow is confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
 - the presence of litter and debris
 - destruction of terrestrial vegetation
 - the presence of wrack line
 - sediment sorting
 - scour
 - multiple observed or predicted flow events
 - abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

Mean High Water Mark indicated by

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00288

Form Information

JD Form Type: Seasonal

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless Twp.
Lat	40.5685083333333
Long	-80.0256277777778
Nearest Waterbody	UNT Little Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	(e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Seasonal Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 8

Office Determination Date 10-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 08-Feb-2008

Offsite

Area

Linear 385

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 5 acres

Average annual rainfall 38 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- * Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 5-10
Aerial miles: 5-10

RPW Distance to Project Waters

River miles: []
Aerial miles: []

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT 5 flows into UNT 1 which flows into Little Pine Creek which flows into Pine Creek which empties into the Allegheny River, a Section 10 Navigable Waterway.

LRP-2008-00288

Selected Water

Folder LRP-2008-00288
 Form JD8
 Name 2008-288 McKnight Town Center, UNT 5 Little Pine Creek
 Local Waterway UNT Little Pine Creek

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 117.348
 Flow Ephemeral flow.
 Flow Rationale This UNT has a definite groundwater influence and would flow at least 3 months out of the year.

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).
- Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 3
 Average Depth
 Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)
 The channel is very braided at the upper most extent showing the definite ground water influence.

Describe the presence of run/riffle/pool complexes
Tributary geometry Relatively Straight
Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.
of flow events [] (Estimate average number of flow events in review area/year)
Describe flow regime

Other information on duration and volume

Surface flow Confined
Characteristics: Flow is confined to the bed and banks of the stream.
Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil
 - shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
 - the presence of litter and debris
 - destruction of terrestrial vegetation
 - the presence of wrack line
 - sediment sorting
 - scour
 - multiple observed or predicted flow events
 - abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

Mean High Water Mark indicated by

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

**APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers**

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 17-Apr-2008

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Pittsburgh District, LRP-2008-00273-JD1

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State : OH - Ohio
 County/parish/borough: Portage
 City: Newton Falls
 Lat: 41.216985012794
 Long: -81.0516930061073
 Universal Transverse Mercator: 17S
 Name of nearest waterbody: Sand Creek
 Name of nearest Traditional Navigable Water (TNW): Beaver River
 Name of watershed or Hydrologic Unit Code (HUC): 05030103

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 the action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION:

Office Determination Date: 17-Apr-2008

Field Determination Date(s): 08-Apr-2008

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION

There "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

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 SECTION 404 DETERMINATION OF JURISDICTION.

There "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area:¹

Water Name	Water Type(s) Present
LRP 2008-273 Wetland 4.17	Isolated (interstate or intrastate) waters, including isolated wetlands

LRP 2008-273 Wetland 4.21	Isolated (interstate or intrastate) waters, including isolated wetlands
LRP 2008-273 Wetland 4.22	Isolated (interstate or intrastate) waters, including isolated wetlands
LRP 2008-273 Wetland 4.23	Isolated (interstate or intrastate) waters, including isolated wetlands
LRP 2008-273 Wetland 4.24	Isolated (interstate or intrastate) waters, including isolated wetlands
LRP 2008-273 Wetland 4.44	Isolated (interstate or intrastate) waters, including isolated wetlands
LRP 2008-273 Wetland 4.45	Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Area:

Linear:

c. Limits (boundaries) of jurisdiction:

based on:

OHWM Elevation: (if known)

2. Non-regulated waters/wetlands:³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. TNW

Not Applicable.

2. Wetland Adjacent to TNW

Not Applicable.

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

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

(i) General Area Conditions:

Watershed size:

Drainage area:

Average annual rainfall: inches

Average annual snowfall: inches

(ii) Physical Characteristics

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through tributaries before entering TNW.

:Number of tributaries

Project waters are river miles from TNW.

Project waters are river miles from RPW.

Project Waters are aerial (straight) miles from TNW.

Project waters are aerial(straight) miles from RPW.

Project waters cross or serve as state boundaries.

Explain:

Identify flow route to TNW:⁵

Tributary Stream Order, if known:

Not Applicable.

(b) General Tributary Characteristics:

Tributary is:

Not Applicable.

Tributary properties with respect to top of bank (estimate):

Not Applicable.

Primary tributary substrate composition:

Not Applicable.

Tributary (conditions, stability, presence, geometry, gradient):

Not Applicable.

(c) Flow:

Not Applicable.

Surface Flow is:

Not Applicable.

Subsurface Flow:

Not Applicable.

Tributary has:

Not Applicable.

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction:

High Tide Line indicated by:

Not Applicable.

Mean High Water Mark indicated by:

Not Applicable.

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Not Applicable.

(iv) Biological Characteristics. Channel supports:

Not Applicable.

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:**(a) General Wetland Characteristics:****Properties:**

Not Applicable.

(b) General Flow Relationship with Non-TNW:**Flow is:**

Not Applicable.

Surface flow is:

Not Applicable.

Subsurface flow:

Not Applicable.

(c) Wetland Adjacency Determination with Non-TNW:

Not Applicable.

(d) Proximity (Relationship) to TNW:

Not Applicable.

(ii) Chemical Characteristics:**Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).**

Not Applicable.

(iii) Biological Characteristics. Wetland supports:

Not Applicable.

3. Characteristics of all wetlands adjacent to the tributary (if any):**All wetlands being considered in the cumulative analysis:**

Not Applicable.

Summarize overall biological, chemical and physical functions being performed:

Not Applicable.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed 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.

Significant Nexus: Not Applicable

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

1. TNWs and Adjacent Wetlands:

Not Applicable.

2. RPWs that flow directly or indirectly into TNWs:

Not Applicable.

Provide estimates for jurisdictional waters in the review area:

Not Applicable.

3. Non-RPWs that flow directly or indirectly into TNWs:⁸

Not Applicable.

Provide estimates for jurisdictional waters in the review area:

Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:

Not Applicable.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:

Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:

Not Applicable.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs:

Not Applicable.

Provide estimates for jurisdictional wetlands in the review area:

Not Applicable.

7. Impoundments of jurisdictional waters:⁹

Not Applicable.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS:¹⁰

Waters Name	Interstate/Foreign Travelers	Fish/Shellfish Commerce	Industrial Commerce	Interstate isolated	Explain	Other Fact
LRP 2008-273 Wetland 4.17	-	-	-	-	-	1
LRP 2008-273 Wetland 4.21	-	-	-	-	-	1
LRP 2008-273 Wetland 4.22	-	-	-	-	-	1
LRP 2008-273 Wetland 4.23	-	-	-	-	-	1
LRP 2008-273 Wetland 4.24	-	-	-	-	-	1
LRP 2008-273 Wetland 4.44	-	-	-	-	-	1
LRP 2008-273 Wetland 4.45	-	-	-	-	-	1

Identify water body and summarize rationale supporting determination:

Water Name	Adjacent To TNW Rationale	TNW F
LRP 2008-273 Wetland 4.17	-	-
LRP 2008-273 Wetland 4.21	-	-
LRP 2008-273 Wetland 4.22	-	-
LRP 2008-273 Wetland 4.23	-	-
LRP 2008-273 Wetland 4.24	-	-
LRP 2008-273 Wetland 4.44	-	-
LRP 2008-273 Wetland 4.45	-	-

Provide estimates for jurisdictional waters in the review area:

Water Name	Type	Size (Linear)
LRP 2008-273 Wetland 4.17	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.21	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.22	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.23	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.24	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.44	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.45	Isolated (interstate or intrastate) waters, including isolated wetlands	-
Total:		0

F. NON-JURISDICTIONAL WATERS. INCLUDING WETLANDS

- 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):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction factors (ie., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using professional judgment:

Water Name	Type	Size (Linear)
LRP 2008-273 Wetland 4.17	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.21	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.22	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.23	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.24	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.44	Isolated (interstate or intrastate) waters, including isolated wetlands	-
LRP 2008-273 Wetland 4.45	Isolated (interstate or intrastate) waters, including isolated wetlands	-
Total:		0

Provide acreage estimates for non-jurisdictional waters in the review area, that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Not Applicable.

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 \checkmark seasonally \checkmark (e.g., typically 3 months).

³-Supporting documentation is presented in Section III.F.

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.

⁶-A 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.

⁷-Ibid.

⁸-See Footnote #3.

⁹ -To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰-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.

LRP-2007-01328

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Hardy
City	Baker
Lat	39.02689
Long	-78.74998
Nearest Waterbody	Lost River
TNW into which the aquatic resource flows	Potomac River
Watershed or HUC	2070003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	[]

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

 Office Determination Date 19-Feb-2008 Field Determination Date(s)

Request Date 13-Nov-2007

Offsite

Area

Linear 2100

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-01328

Selected Water

Folder LRP-2007-01328
Form JD1
Name 2007-1328 Lost River Stream Restoration Project, Lost River
Local Waterway Lost River

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
Linear 643.7376
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes
 Tributary geometry Relatively Straight
 Tributary gradient % (approximate average slope)

Flow

Flow Type: Ephemeral flow.
 # of flow events [] (Estimate average number of flow events in review area/year)
 Describe flow regime

Other information on duration and volume

Surface flow []
 Characteristics:
 Subsurface Flow []
 Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil
 - shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
 - the presence of litter and debris
 - destruction of terrestrial vegetation
 - the presence of wrack line
 - sediment sorting
 - scour
 - multiple observed or predicted flow events
 - abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- High Tide Line indicated by
 - oil or scum line along shore objects
 - fine shell or debris deposits (foreshore)
 - physical markings/characteristics
 - tidal gauges
 - other (list):
- Mean High Water Mark indicated by
 - survey to available datum;
 - physical markings;
 - vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
 Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Explain findings: Lost River is a listed Trout Water in West Virginia.

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 3

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date

Offsite

Area

Linear

Limits basis

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
 Form JD1
 Name 2007-159 West Run Student Housing Copper, West Run
 Waterway 77828
 Local Waterway West Run

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
 Linear 1013.7648
 Flow Intermittent flow.
 Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width

Average Depth

Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry

Tributary gradient % (approximate average slope)

Flow

Flow Type: Ephemeral flow.

of flow events (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics:

Subsurface Flow

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date

Offsite

Area

Linear

Limits basis

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD1
Name 2007-159 West Run Student Housing Copper, unt #1of West Run
Local Waterway unt #1 of West Run

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
Linear 64.008
Flow Ephemeral flow.
Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
Artificial (man-made).
Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 3
Average Depth
Average Side Slopes []

Primary tributary substrate composition

- Silts
Sands
Concrete
Cobbles
Gravel
Muck
Bedrock
Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight
 Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.
 # of flow events 6-10 (Estimate average number of flow events in review area/year)
 Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics:

Subsurface Flow []

Explain Findings

- Dye (or other) test performed
- Bed and banks
- OHWM (Check all indicators that apply):
 - clear, natural line impressed on the bank
 - changes in the character of soil
 - shelving
 - vegetation matted down, bent, or absent
 - leaf litter disturbed or washed away
 - sediment deposition
 - water staining
 - other (list):
 - the presence of litter and debris
 - destruction of terrestrial vegetation
 - the presence of wrack line
 - sediment sorting
 - scour
 - multiple observed or predicted flow events
 - abrupt change in plant community

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

Mean High Water Mark indicated by

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date 18-Jul-2007

Offsite

Area

Linear 3326

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD2
Name 2007-159 West Run Student Housing Copper Beach, unt#2 of West Run
Local Waterway unt#2 of West Run

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
Linear 135.636
Flow Ephemeral flow.
Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 1.5
Average Depth
Average Side Slopes []

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Type
% Cover
Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.

of flow events (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics:

Subsurface Flow

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date 18-Jul-2007

Offsite

Area

Linear 3326

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD3
Name 2007-159 West Run Student Housing Copper Beach, unt#3 of West Run
Local Waterway unt#3 of West Run

Determination

Type Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs
Linear 33.528
Flow Ephemeral flow.
Flow Rationale

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 1.5
Average Depth
Average Side Slopes []

Primary tributary substrate composition

- Silts
Sands
Concrete
Cobbles
Gravel
Muck
Bedrock
Vegetation

Type
% Cover
Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Intermittent flow.

of flow events (Estimate average number of flow events in review area/year)

Describe flow regime

Other information on duration and volume

Surface flow Confined

Characteristics:

Subsurface Flow

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

clear, natural line impressed on the bank

the presence of litter and debris

changes in the character of soil

destruction of terrestrial vegetation

shelving

the presence of wrack line

vegetation matted down, bent, or absent

sediment sorting

leaf litter disturbed or washed away

scour

sediment deposition

multiple observed or predicted flow events

water staining

abrupt change in plant community

other (list):

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

oil or scum line along shore objects

survey to available datum;

fine shell or debris deposits (foreshore)

physical markings;

physical markings/characteristics

vegetation lines/changes in vegetation types.

tidal gauges

other (list):

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date 18-Jul-2007

Offsite

Area

Linear 3326

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD1
Name 2007-159 West Run Student Housing Copper Beach, wetland #1
Local Waterway West Run

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 21731.61672
Flow Ephemeral flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 5.37ac
Wetland Type
Wetland Quality
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Intermittent flow.
Surface flow
Characteristics:
Subsurface Flow
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

Directly abutting
 Not directly abutting
 Discrete wetland hydrologic connection
 Ecological connection
 Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 9
Aerial miles: 9(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor
- Vegetation type/percent cover
- Habitat for
 - Federally Listed species
 - Fish/spawn areas
 - Other environmentally-sensitive species
 - Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date 18-Jul-2007

Offsite

Area

Linear 3326

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD1
Name 2007-159 West Run Student Housing Copper Beach, wetland #2
Local Waterway West Run

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 5139.50712
Flow Intermittent flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 1.27ac
Wetland Type
Wetland Quality
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Intermittent flow.
Surface flow []
Characteristics:
Subsurface Flow []
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

- Directly abutting
- Not directly abutting
 - Discrete wetland hydrologic connection
 - Ecological connection
 - Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 9
Aerial miles: 9(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the [] floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor
- Vegetation type/percent cover
- Habitat for
 - Federally Listed species
 - Fish/spawn areas
 - Other environmentally-sensitive species
 - Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date 18-Jul-2007

Offsite

Area

Linear 3326

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD1
Name 2007-159 West Run Student Housing Copper Beach, wetland #3
Local Waterway West Run

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 2306.70792
Flow Ephemeral flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
 Wetland Size 0.57ac
 Wetland Type
 Wetland Quality
 Project wetlands cross or serve as state boundaries

Flow

Flow Type: Intermittent flow.
 Surface flow
 Characteristics:
 Subsurface Flow
 Explain Findings
 Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

- Directly abutting
- Not directly abutting
 - Discrete wetland hydrologic connection
 - Ecological connection
 - Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
 River miles: 9
 Aerial miles: 9(straight miles)
 Flow Direction Wetland to navigable waters
 Estimate approximate location of wetland as within the floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Vegetation type/percent cover

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2007-00159

Form Information

JD Form Type: Perennial

Project Location and Background Information

State	WV - West Virginia
County/parish/borough	Monongalia
City	Morgantown
Lat	39.655
Long	-79.9238888888889
Nearest Waterbody	West Run
TNW into which the aquatic resource flows	Monongahela River
Watershed or HUC	5020003
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Perennial Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 30-Jan-2008

Field Determination Date(s)

Request Date 18-Jul-2007

Offsite

Area

Linear 3326

Limits basis Established by OHWM

OHWM Elevation (if known)

LRP-2007-00159

Selected Water

Folder LRP-2007-00159
Form JD1
Name 2007-159 West Run Student Housing Copper Beach, wetland #4
Local Waterway West Run

Determination

Type Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
Area 890.30832
Flow Ephemeral flow.
Flow Rationale

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size 0.22ac
Wetland Type
Wetland Quality
Project wetlands cross or serve as state boundaries

Flow

Flow Type: Intermittent flow.
Surface flow []
Characteristics:
Subsurface Flow []
Explain Findings
Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

- * Directly abutting
Not directly abutting
Discrete wetland hydrologic connection
Ecological connection
Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:
River miles: 9
Aerial miles: 9(straight miles)
Flow Direction Wetland to navigable waters
Estimate approximate location of wetland as within the [] floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).
Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Vegetation type/percent cover

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00281

Form Information

JD Form Type: Not Isolate

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless
Lat	40.5869444444445
Long	-80.0022666666667
Nearest Waterbody	UNT Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input checked="" type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Not Isolate Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 1

Office Determination Date 07-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 05-Feb-2008

Offsite

Area

Linear 115

Limits basis Established by OHWM

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 10 acres

Average annual rainfall 39 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- ☐ Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles:	10-15
Aerial miles:	5-10

RPW Distance to Project Waters

River miles:	1 (or less)
Aerial miles:	1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

UNT Pine Creek flows into another UNT Pine Creek which flows into Pine Creek which empties into the Allegheny River a Section 10 waterway.

Significant Nexus Characteristics

Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands

Findings for: 2008-281 Montgomery Tract, UNT 1 Pine Creek

Given the small size of UNT 1 Pine Creek and the small drainage area there is little to no capacity for this tributary to carry pollutants or flood waters to the TNW. Being as this tributary is ephemeral no fish were found in it. Lifecycle support functions would be extremely limited within a tributary such as this that is dry much of the year. A small amount of carbon may be transported by this tributary during heavy rain events but would amount to a negligible percentage for downstream foodwebs. Therefore UNT 1 Pine Creek does not have more than a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW. It is for this reason that this nRPW cannot be taken jurisdiction of.

LRP-2008-00281

Selected Water

Folder LRP-2008-00281
Form JD1
Name 2008-281 Montgomery Tract, UNT 1 Pine Creek
Local Waterway UNT Pine Creek

Determination

Type Non-RPWs that flow directly or indirectly into TNWs
Linear 35.052

Physical Characteristics

Relationship with TNW

Tributary stream order:

General Tributary Characteristics

Tributary

- Natural
- Artificial (man-made).

Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 1
 Average Depth
 Average Side Slopes 3:1

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Tributary has (check all that apply):

Describe the tributary condition/stability (e.g., highly eroding, sloughing banks)

Describe the presence of run/riffle/pool complexes

Tributary geometry Relatively Straight

Tributary gradient % (approximate average slope)

Flow

Flow Type: Perennial flow.

of flow events 11-20 (Estimate average number of flow events in review area/year)

Describe flow regime The tributary would only flow after a rain event.

Other information on duration and volume

Surface flow Confined

Characteristics: Flow would be confined to the bed and banks of the stream.

Subsurface Flow []

Explain Findings

Dye (or other) test performed

Bed and banks

OHWM (Check all indicators that apply):

- | | |
|--|---|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> the presence of litter and debris |
| <input type="checkbox"/> changes in the character of soil | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> shelving | <input type="checkbox"/> the presence of wrack line |
| <input type="checkbox"/> vegetation matted down, bent, or absent | <input type="checkbox"/> sediment sorting |
| <input type="checkbox"/> leaf litter disturbed or washed away | <input type="checkbox"/> scour |
| <input type="checkbox"/> sediment deposition | <input type="checkbox"/> multiple observed or predicted flow events |
| <input type="checkbox"/> water staining | <input type="checkbox"/> abrupt change in plant community |
| <input type="checkbox"/> other (list): | |

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

Mean High Water Mark indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

Riparian corridor

Wetland fringe

Habitat for

Federally Listed species

Fish/spawn areas

Other environmentally-sensitive species

Aquatic/wildlife diversity

LRP-2008-00281

Form Information

JD Form Type: Nrpw

Project Location and Background Information

State	PA - Pennsylvania
County/parish/borough	Allegheny
City	McCandless
Lat	40.5869444444445
Long	-80.0022666666667
Nearest Waterbody	UNT Pine Creek
TNW into which the aquatic resource flows	Allegheny River
Watershed or HUC	5010009
Map or diagram available	<input type="checkbox"/> (Review or Jurisdictional Area)
JD recorded associated sites?	<input type="checkbox"/> (e.g., offsite mitigation sites, disposal sites, etc.)
Universal Transverse Mercator:	<input type="checkbox"/>

Form Characteristics

Each characteristic may or may not be available depending on the form type chosen.

Nrpw Form

Instructions: Click Next to associate the pre-populated dates to your form. To change the dates, click in the field to access the calendar and select your new date(s). Click Next to continue.

Dates

JD Sequence: 2

Office Determination Date 07-Mar-2008

Field Determination Date(s)

06-Mar-2008

Request Date 05-Feb-2008

Offsite

Area .21

Linear

Limits basis 1987 Delineation Manual

OHWM Elevation (if known)

General Area Conditions

Watershed size acres

Drainage area 10 acres

Average annual rainfall 39 inches

Average annual snowfall inches

Physical Characteristics

Relationship with TNW:

- Tributary flows directly into TNW.
- * Tributary flows through several tributaries before entering TNW.

TNW Distance to Project Waters

River miles: 10-15
 Aerial miles: 5-10

RPW Distance to Project Waters

River miles: 1 (or less)
 Aerial miles: 1 (or less)

Explain if the selected project water crosses or serves as state boundaries:

Flow route to TNW:

The UNT flows into another UNT before entering Pine Creek which empties into the Allegheny River, a Section 10 Navigable Waterway.

Significant Nexus Characteristics

Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands

Findings for: 2008-281 Montgomery Tract, Wetland 1

Given the small size of UNT Pine Creek and the small drainage area there is little to no capacity for this tributary to carry pollutants or flood waters to the TNW. No fish were found in this nRPW. Lifecycle support functions would be extremely limited within a tributary such as this that is dry much of the year. A small amount of carbon may be transported by this tributary during heavy rain events but would amount to a negligible percentage for downstream foodwebs. Therefore UNT Pine Creek does not have more then a speculative or insubstantial effect on the chemical, biological, or physical integrity of the TNW. It is for this reason that this nRPW cannot be taken jurisdiction of.

LRP-2008-00281

Selected Water

Folder LRP-2008-00281
Form JD2
Name 2008-281 Montgomery Tract, Wetland 1

Determination

Type Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
Area 849.83976

Physical Characteristics

General Wetland Characteristics

Properties
Wetland Size .21
Wetland Type PFO
Wetland Quality Moderate quality with some plant diversity.
Project wetlands cross or serve as state boundaries
Manipulated (man-altered).

Tributary properties with respect to top of bank (estimate):

Average Width 1
Average Depth
Average Side Slopes 3:1

Primary tributary substrate composition

- Silts
- Sands
- Concrete
- Cobbles
- Gravel
- Muck
- Bedrock
- Vegetation

Other

Flow

Flow Type: Perennial flow.
Surface flow Discrete
Subsurface Flow Characteristics: Flow is discrete as it flows down the slope.
Yes

Explain Findings

Dye (or other) test performed

Wetland Adjacency Determination with Non-TNW

- Directly abutting
- Not directly abutting
- Discrete wetland hydrologic connection

Discontinuous OHWM

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

High Tide Line indicated by

- oil or scum line along shore objects
- fine shell or debris deposits (foreshore)
- physical markings/characteristics
- tidal gauges
- other (list):

Mean High Water Mark indicated by

- survey to available datum;
- physical markings;
- vegetation lines/changes in vegetation types.

Ecological connection

Separated by berm/barrier

Proximity (Relationship) to TNW

Distance to the project waters from the TNW:

River miles: 5

Aerial miles: 4(straight miles)

Flow Direction Wetland to navigable waters

Estimate approximate location of wetland as within the [] floodplain.

Chemical Characteristics

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Identify specific pollutants, if known

Biological Characteristics

Channel/Wetland supports (check all that apply):

- Riparian corridor
- Vegetation type/percent cover
- Habitat for
 - Federally Listed species
 - Fish/spawn areas
 - Other environmentally-sensitive species
- Aquatic/wildlife diversity
 - Explain findings:

**APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers**

JD Status: DRAFT

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 08-Apr-2008

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Pittsburgh District, LRP-2008-00019-JD1

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State : WV - West Virginia
 County/parish/borough: Hardy
 City: Moorefield
 Lat: 39.083775
 Long: -78.9570583333333
 Universal Transverse Mercator: []
 Name of nearest waterbody: UNT Dumpling Run
 Name of nearest Traditional Navigable Water (TNW): Potomac River
 Name of watershed or Hydrologic Unit Code (HUC): 2070001

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 the action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION:

Office Determination Date: 08-Apr-2008

Field Determination Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION

There "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

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 SECTION 404 DETERMINATION OF JURISDICTION.

There "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area:¹

Water Name	Water Type(s) Present
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	Relatively Permanent Waters (RPWs) that flow directly or indire

b. Identify (estimate) size of waters of the U.S. in the review area:

Area:

Linear:

c. Limits (boundaries) of jurisdiction:

based on: Established by OHWM.

OHWM Elevation: (if known)

2. Non-regulated waters/wetlands:³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. TNW

Not Applicable.

2. Wetland Adjacent to TNW

Not Applicable.

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

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

(i) General Area Conditions:

Watershed size: acres

Drainage area: 50 acres

Average annual rainfall: 38 inches

Average annual snowfall: inches

(ii) Physical Characteristics

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through [] tributaries before entering TNW.

:Number of tributaries

Project waters are 30 (or more) river miles from TNW.

Project waters are [] river miles from RPW.

Project Waters are 30 (or more) aerial (straight) miles from TNW.

Project waters are [] aerial(straight) miles from RPW.

Project waters cross or serve as state boundaries.

Explain:

Identify flow route to TNW:⁵

UNT Dumpling Run flows into Dumpling Run which flows into Fort Run which flows into South Branch Potomac River

which flows into the Potomac River.

Tributary Stream Order, if known:

Order	Tributary Name
-	2008-19 Potomac Eagle Parking Area, UNT Dumpling Run

(b) General Tributary Characteristics:

Tributary is:

Tributary Name	Natural	Artificial	Explain	Manipulated	Explain
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	-	-	-	X	The UNT has been relocated in the rap lined channel.

Tributary properties with respect to top of bank (estimate):

Tributary Name	Width (ft)	Depth (ft)	
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	4	-	-

Primary tributary substrate composition:

Tributary Name	Silt	Sands	Concrete	Cobble	Gravel	Muck	Bedrock	Ve
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	-	-	-	X	X	-	-	

Tributary (conditions, stability, presence, geometry, gradient):

Tributary Name	Condition/Stability	Run/Riffle/Pool Complexes	Geometry
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	Rip rap lined channel	-	Relatively straight

(c) Flow:

Tributary Name	Provides for	Events Per Year	Flow Regime	Du
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	Seasonal flow	-	The UNT would flow at least 3 months out of the year.	-

Surface Flow is:

Tributary Name	Surface Flow	Characteristics
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	Confined	Flow is confined to the bed and banks of th

Subsurface Flow:

Tributary Name	Subsurface Flow	Explain Findings	Dye
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	-	-	

Tributary has:

Tributary Name	Bed & Banks	OHWM	Discontinuous OHWM ⁷
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	X	X	-

Tributaries with OHWM⁶ - (as indicated above)

Tributary Name	OHWM ⁶

Tributary Name	OHWM	Clear	Litter	Changes in Soil	Destruction Vegetation	Shelving	Wrack Line	Matted/Absent Vegetation	Sediment Sorting	Leaf Litter	Scour
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	X	X	-	-	-	-	-	-	-	-	-

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction:

High Tide Line indicated by:
Not Applicable.

Mean High Water Mark indicated by:
Not Applicable.

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics)

Tributary Name	Explain	Identify specific pollutants, if kno
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	-	-

(iv) Biological Characteristics. Channel supports:

Tributary Name	Riparian Corridor	Characteristics	Wetland Fringe	Characte
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	-	-	-	-

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:
(a) General Wetland Characteristics:
Properties:
Not Applicable.

(b) General Flow Relationship with Non-TNW:
Flow is:
Not Applicable.

Surface flow is:
Not Applicable.

Subsurface flow:
Not Applicable.

(c) Wetland Adjacency Determination with Non-TNW:
Not Applicable.

(d) Proximity (Relationship) to TNW:
Not Applicable.

(ii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed

characteristics, etc.).
Not Applicable.

(iii) Biological Characteristics. Wetland supports:
Not Applicable.

3. Characteristics of all wetlands adjacent to the tributary (if any):
All wetlands being considered in the cumulative analysis:
Not Applicable.

Summarize overall biological, chemical and physical functions being performed:
Not Applicable.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed 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.

Findings for: 2008-19 Potomac Eagle Parking Area, UNT Dumpling Run

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

1. TNWs and Adjacent Wetlands:
Not Applicable.

2. RPWs that flow directly or indirectly into TNWs:

Wetland Name	Flow
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	SEASONAL

Provide estimates for jurisdictional waters in the review area:

Wetland Name	Type	Size (Linear)
2008-19 Potomac Eagle Parking Area, UNT Dumpling Run	Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs	304.8
Total:		304.8

3. Non-RPWs that flow directly or indirectly into TNWs:⁸
Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:

Not Applicable.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:

Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:

Not Applicable.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs:

Not Applicable.

Provide estimates for jurisdictional wetlands in the review area:

Not Applicable.

7. Impoundments of jurisdictional waters:⁹

Not Applicable.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS:¹⁰

Not Applicable.

Identify water body and summarize rationale supporting determination:

Not Applicable.

Provide estimates for jurisdictional waters in the review area:

Not Applicable.

F. NON-JURISDICTIONAL WATERS. INCLUDING WETLANDS

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):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (ie., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment:

Not Applicable.

Provide acreage estimates for non-jurisdictional waters in the review area, that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.

Not Applicable.

-
- 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 $\hat{\zeta}$ seasonally $\hat{\zeta}$ (e.g., typically 3 months).
 - ³-Supporting documentation is presented in Section III.F.
 - 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.
 - ⁶-A 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.
 - ⁷-Ibid.
 - ⁸-See Footnote #3.
 - ⁹-To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
 - ¹⁰-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.

**APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers**

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 17-Apr-2008

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Pittsburgh District, LRP-2008-00284-JD1

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State : PA - Pennsylvania
 County/parish/borough: Allegheny
 City:
 Lat: 40.5228083333333
 Long: -80.0730972222222
 Universal Transverse Mercator: []
 Name of nearest waterbody: UNT Lowries Run
 Name of nearest Traditional Navigable Water (TNW): Ohio River
 Name of watershed or Hydrologic Unit Code (HUC): 5030101

- 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 the action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION:

- Office Determination Date: 15-Apr-2008
- Field Determination Date(s): 09-Apr-2008

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION

There "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

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 SECTION 404 DETERMINATION OF JURISDICTION.

There "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area:¹

Water Name	Water Type(s) Present
2008-284 Stone Quarry Crossing II, UNT Lowries Run	Relatively Permanent Waters (RPWs) that flow directly or indirectly

b. Identify (estimate) size of waters of the U.S. in the review area:

Area:

Linear:

c. Limits (boundaries) of jurisdiction:

based on:

OHWM Elevation: (if known)

2. Non-regulated waters/wetlands:³

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

1. TNW

Not Applicable.

2. Wetland Adjacent to TNW

Not Applicable.

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

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

(i) General Area Conditions:

Watershed size:

Drainage area:

Average annual rainfall: inches

Average annual snowfall: inches

(ii) Physical Characteristics

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through tributaries before entering TNW.

:Number of tributaries

Project waters are river miles from TNW.

Project waters are river miles from RPW.

Project Waters are aerial (straight) miles from TNW.

Project waters are aerial(straight) miles from RPW.

Project waters cross or serve as state boundaries.

Explain:

Identify flow route to TNW:⁵

Tributary Stream Order, if known:

Order	Tributary Name
-------	----------------

- | 2008-284 Stone Quarry Crossing II, UNT Lowries Run

(b) General Tributary Characteristics:

Tributary is:

Tributary Name	Natural	Artificial	Explain	Manipulated	Explain
2008-284 Stone Quarry Crossing II, UNT Lowries Run	-	-	-	X	The UNT is piped underneath the remainder property until it reaches Lowries Run

Tributary properties with respect to top of bank (estimate):

Tributary Name	Width (ft)	Depth (ft)	
2008-284 Stone Quarry Crossing II, UNT Lowries Run	3	.25	3:1

Primary tributary substrate composition:

Tributary Name	Silt	Sands	Concrete	Cobble	Gravel	Muck	Bedrock	Vegetation
2008-284 Stone Quarry Crossing II, UNT Lowries Run	-	X	-	X	X	-	-	

Tributary (conditions, stability, presence, geometry, gradient):

Tributary Name	Condition/Stability	Run/Riffle/Pool Complexes	Geometry
2008-284 Stone Quarry Crossing II, UNT Lowries Run	-	-	Relatively straight

(c) Flow:

Tributary Name	Provides for	Events Per Year	Flow Regime	Dye
2008-284 Stone Quarry Crossing II, UNT Lowries Run	Intermittent but not seasonal flow	-	-	-

Surface Flow is:

Tributary Name	Surface Flow	Characteristics
2008-284 Stone Quarry Crossing II, UNT Lowries Run	Confined	Flow is confined to the bed and banks of the

Subsurface Flow:

Tributary Name	Subsurface Flow	Explain Findings	Dye
2008-284 Stone Quarry Crossing II, UNT Lowries Run	-	-	

Tributary has:

Tributary Name	Bed & Banks	OHWM	Discontinuous OHWM ⁷
2008-284 Stone Quarry Crossing II, UNT Lowries Run	X	X	-

Tributaries with OHWM⁶ - (as indicated above)

Tributary Name	OHWM	Clear	Litter	Changes in Soil	Destruction Vegetation	Shelving	Wrack Line	Matted/Absent Vegetation	Sediment Sorting	Leaf Litter	Scour
2008-284 Stone Quarry Crossing II, UNT Lowries Run	X	X	-	-	-	-	-	-	-	-	-

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction:

High Tide Line indicated by:
Not Applicable.

Mean High Water Mark indicated by:
Not Applicable.

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics)

Tributary Name	Explain	Identify specific pollutants, if known
2008-284 Stone Quarry Crossing II, UNT Lowries Run	-	-

(iv) Biological Characteristics. Channel supports:

Tributary Name	Riparian Corridor	Characteristics	Wetland Fringe	Character
2008-284 Stone Quarry Crossing II, UNT Lowries Run	-	-	-	-

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:
Not Applicable.

(b) General Flow Relationship with Non-TNW:

Flow is:
Not Applicable.

Surface flow is:
Not Applicable.

Subsurface flow:
Not Applicable.

(c) Wetland Adjacency Determination with Non-TNW:
Not Applicable.

(d) Proximity (Relationship) to TNW:
Not Applicable.

(ii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Not Applicable.

(iii) Biological Characteristics. Wetland supports:
Not Applicable.

3. Characteristics of all wetlands adjacent to the tributary (if any):
All wetlands being considered in the cumulative analysis:
Not Applicable.

Summarize overall biological, chemical and physical functions being performed:
Not Applicable.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed 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.

Significant Nexus: Not Applicable

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE:

1. TNWs and Adjacent Wetlands:
Not Applicable.

2. RPWs that flow directly or indirectly into TNWs:

Wetland Name	Flow	Explain
2008-284 Stone Quarry Crossing II, UNT Lowries Run	PERENNIAL	A diverse macroinvertebrate population was

Provide estimates for jurisdictional waters in the review area:

Wetland Name	Type	Size (Line)
2008-284 Stone Quarry Crossing II, UNT Lowries Run	Relatively Permanent Waters (RPWs) that flow directly or indirectly into TNWs	106.68
Total:		106.68

3. Non-RPWs that flow directly or indirectly into TNWs:⁸
Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.
Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:
Not Applicable.

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs:
Not Applicable.

Provide acreage estimates for jurisdictional wetlands in the review area:
Not Applicable.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs:
Not Applicable.

Provide estimates for jurisdictional wetlands in the review area:
Not Applicable.

7. Impoundments of jurisdictional waters:⁹
Not Applicable.

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS:¹⁰
Not Applicable.

Identify water body and summarize rationale supporting determination:
Not Applicable.

Provide estimates for jurisdictional waters in the review area:
Not Applicable.

F. NON-JURISDICTIONAL WATERS. INCLUDING WETLANDS

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):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (ie., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment:
Not Applicable.

Provide acreage estimates for non-jurisdictional waters in the review area, that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction.
Not Applicable.

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 2 seasonally (e.g., typically 3 months).

³-Supporting documentation is presented in Section III.F.

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.

⁶-A 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.

⁷-Ibid.

⁸-See Footnote #3.

⁹-To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰-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.