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

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

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):

B. DISTRICT OFFICE, FILE NAME, AND NUMBER:CENAE-R-PEC, BLACK ROCK CONSTRUCTION, NAE-2014-1749

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State:VT County/parish/borough: CHITTENDEN City: ESSEX
Center coordinates of site (lat/long in degree decimal format): Lat. 44.5083° **N**, Long. 73.0783° **W**.
Universal Transverse Mercator: UTM
Name of nearest waterbody: UNNAMED TRIBUTARY OF ALDER BROOK
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: WINOOSKI RIVER
Name of watershed or Hydrologic Unit Code (HUC): 2010003

- ☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
- ☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☒ Office (Desk) Determination. Date: 09/17/2014
- ☒ Field Determination. Date(s): 08/26/2014, 09/17/2014

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]

- ☐ Waters subject to the ebb and flow of the tide.
- ☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are no** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
   - ☐ TNWs, including territorial seas
   - ☐ Wetlands adjacent to TNWs
   - ☐ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
   - ☐ Non-RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
   - ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
   - ☐ Impoundments of jurisdictional waters
   - ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
   Non-wetland waters: linear feet: width (ft) and/or acres.
   Wetlands: acres.

   c. **Limits (boundaries) of jurisdiction** based on: **Pick List**
   Elevation of established OHWM (if known): .

2. **Non-regulated waters/wetlands (check if applicable):**[3]
   - ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: **Wetlands A and C are isolated with no defined inlet or outlet. These wetlands are not hydrologically connected to any other wetlands or waterways. There are no adjacent, bordering, contiguous or neighboring jurisdictional surface waters in proximity to these wetlands. Wetlands A and C are clearly non-navigable, isolated and**

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[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

intrastate. In this particular case, there does not appear to be a reasonable nexus with interstate commerce. Also, the use, degradation or loss of these wetlands will not affect other waters of the United States or affect interstate or foreign commerce. It is unlikely wetland dependent wildlife would traverse between Wetland A and C and the closest jurisdictional surface water, an unnamed tributary of Alder Brook, located 450-700' to the south. Based on the distance of these wetlands to the nearest jurisdictional stream and lack of any hydrological connection, there is no opportunity for the wetlands to benefit Alder Brook, or ultimately the Winooski River. I have concluded that Wetlands A and C are isolated with no nexus to interstate commerce, and therefore non-jurisdictional.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

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

1. TNW
Identify TNW: .

Summarize rationale supporting determination: .

2. Wetland adjacent to TNW
Summarize rationale supporting conclusion that wetland is "adjacent": .

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

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

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

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

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

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

(i) General Area Conditions:
Watershed size: **Pick List**
Drainage area: **Pick List**
Average annual rainfall: inches
Average annual snowfall: inches

(ii) Physical Characteristics:
(a) Relationship with TNW:
☐ Tributary flows directly into TNW.
☐ Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **Pick List** river miles from TNW.
Project waters are **Pick List** river miles from RPW.
Project waters are **Pick List** aerial (straight) miles from TNW.
Project waters are **Pick List** 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: .

[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.
[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):

Tributary is:
- ☐ Natural
- ☐ Artificial (man-made). Explain: _____.
- ☐ Manipulated (man-altered). Explain: _____.

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

Average width: _____ feet
Average depth: _____ feet
Average side slopes: **Pick List.**

Primary tributary substrate composition (check all that apply):

- ☐ Silts
- ☐ Sands
- ☐ Concrete
- ☐ Cobbles
- ☐ Gravel
- ☐ Muck
- ☐ Bedrock
- ☐ Vegetation. Type/% cover: _____
- ☐ Other. Explain: _____.

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: _____.
Presence of run/riffle/pool complexes. Explain: _____.
Tributary geometry: **Pick List**
Tributary gradient (approximate average slope): _____ %

(c) Flow:

Tributary provides for: **Pick List**
Estimate average number of flow events in review area/year: **Pick List**
Describe flow regime: _____.
Other information on duration and volume: _____.

Surface flow is: **Pick List.** Characteristics: _____.

Subsurface flow: **Pick List**. Explain findings: _____.
- ☐ Dye (or other) test performed: _____.

Tributary has (check all that apply):
- ☐ Bed and banks
- ☐ OHWM[6] (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.[7] Explain: _____.

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.

(iii) Chemical Characteristics:

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

[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.

(iv) Biological Characteristics. Channel supports (check all that apply):

- ☐ Riparian corridor. Characteristics (type, average width): .
- ☐ Wetland fringe. Characteristics: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

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

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain: .

Wetland quality. Explain: .

Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain: .

Surface flow is**: Pick List**

Characteristics: .

Subsurface flow: **Pick List**. Explain findings: .

- ☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:

- ☐ Directly abutting
- ☐ Not directly abutting
  - ☐ Discrete wetland hydrologic connection. Explain: .
  - ☐ Ecological connection. Explain: .
  - ☐ Separated by berm/barrier. Explain: .

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List.**

Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: .

Identify specific pollutants, if known: .

(iii) Biological Characteristics. Wetland supports (check all that apply):

- ☐ Riparian buffer. Characteristics (type, average width): .
- ☐ Vegetation type/percent cover. Explain: .
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings: .
  - ☐ Fish/spawn areas. Explain findings: .
  - ☐ Other environmentally-sensitive species. Explain findings: .
  - ☐ Aquatic/wildlife diversity. Explain findings: .

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: **Pick List**

Approximately ( ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)

Summarize overall biological, chemical and physical functions being performed: .

C. SIGNIFICANT NEXUS DETERMINATION

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

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

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

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

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

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

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   ☐ TNWs: linear feet width (ft), Or, acres.
   ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   ☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**
☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: **.**

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: **.**

☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.[9]**
As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
☐ Demonstrate that impoundment was created from "waters of the U.S.," or
☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

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 (CHECK ALL THAT APPLY):[10]
☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain: .
☐ Other factors. Explain: .

Identify water body and summarize rationale supporting determination: .

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[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.*

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
Identify type(s) of waters: .
☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☒ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: .
☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☒ Wetlands: 2.22acres.

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 (check all that apply):
☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource: .
☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

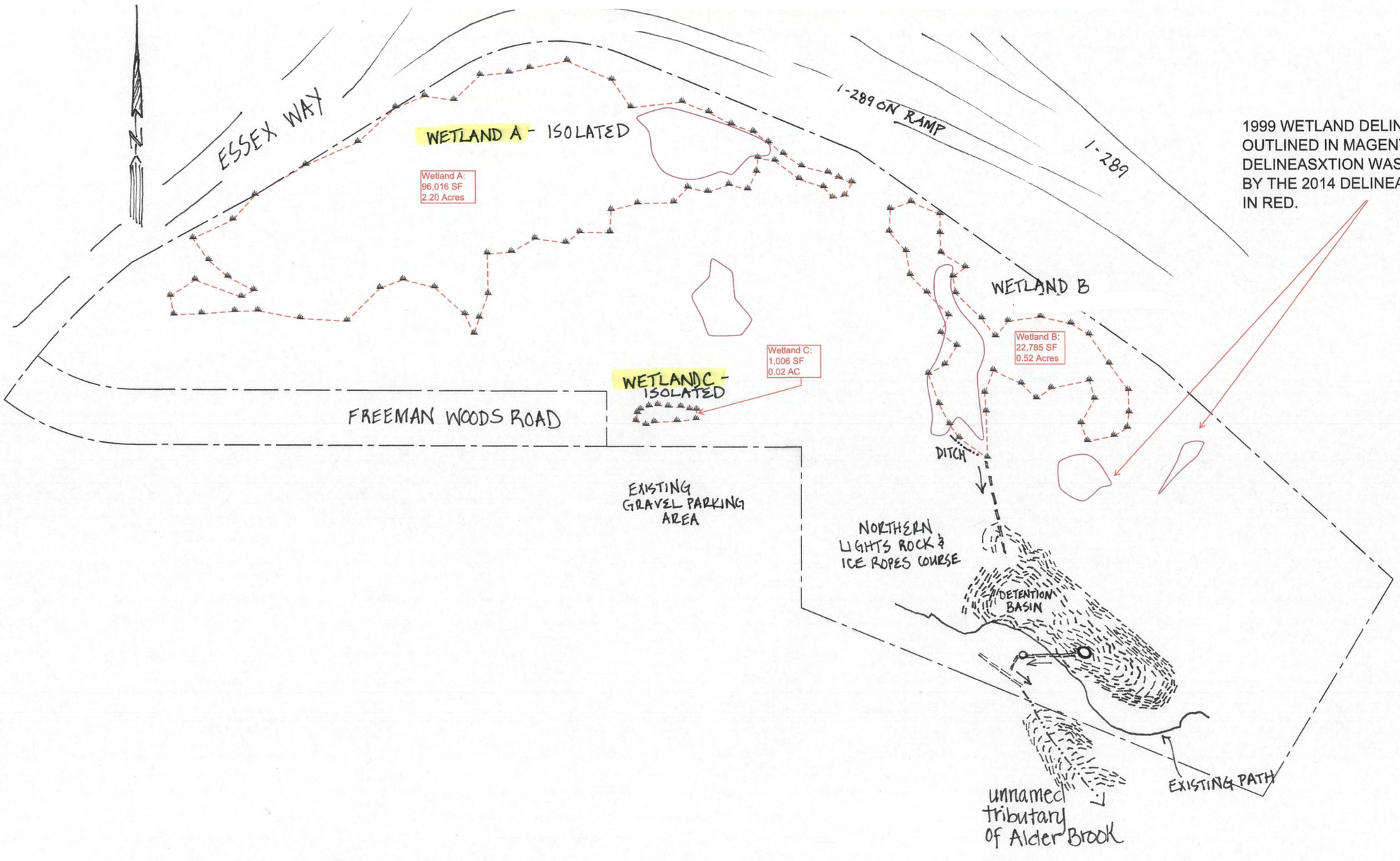
A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:"Spring Village at Freeman Woods Master Plan" dated "8-21-2014" and an unnamed and undated wetland delineation map.
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☒ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☐ U.S. Geological Survey Hydrologic Atlas: .
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name:1:24000; ESSEX JUNCTION.
☐ USDA Natural Resources Conservation Service Soil Survey. Citation: .
☐ National wetlands inventory map(s). Cite name: .
☒ State/Local wetland inventory map(s):VERMONT NATURAL RESOURCES ATLAS.
☐ FEMA/FIRM maps: .
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date):GOOGLE MAPS.
or ☒ Other (Name & Date):SITE VISIT PHOTOS DATED 08/26/2014 AND 09/17/2014.
☐ Previous determination(s). File no. and date of response letter: .
☐ Applicable/supporting case law: .
☐ Applicable/supporting scientific literature: .
☐ Other information (please specify): .

B. ADDITIONAL COMMENTS TO SUPPORT JD: Wetlands A and C are isolated with no defined inlet or outlet. These wetlands are not hydrologically connected to any other wetlands or waterways. There are no adjacent, bordering, contiguous or neighboring jurisdictional surface waters in proximity to these wetlands. Wetlands A and C are clearly non-navigable, isolated and intrastate. In this particular case,

there does not appear to be a reasonable nexus with interstate commerce. Also, the use, degradation or loss of these wetlands will not affect other waters of the United States or affect interstate or foreign commerce. It is unlikely wetland dependent wildlife would traverse between Wetland A and C and the closest jurisdictional surface water, an unnamed tributary of Alder Brook, located 450-700' to the south. Based on the distance of these wetlands to the nearest jurisdictional stream and lack of a hydrological connection, there is no opportunity for the wetlands to benefit Alder Brook, or ultimately the Winooski River. I have concluded that Wetlands A and C are isolated with no nexus to interstate commerce, and therefore non-jurisdictional.

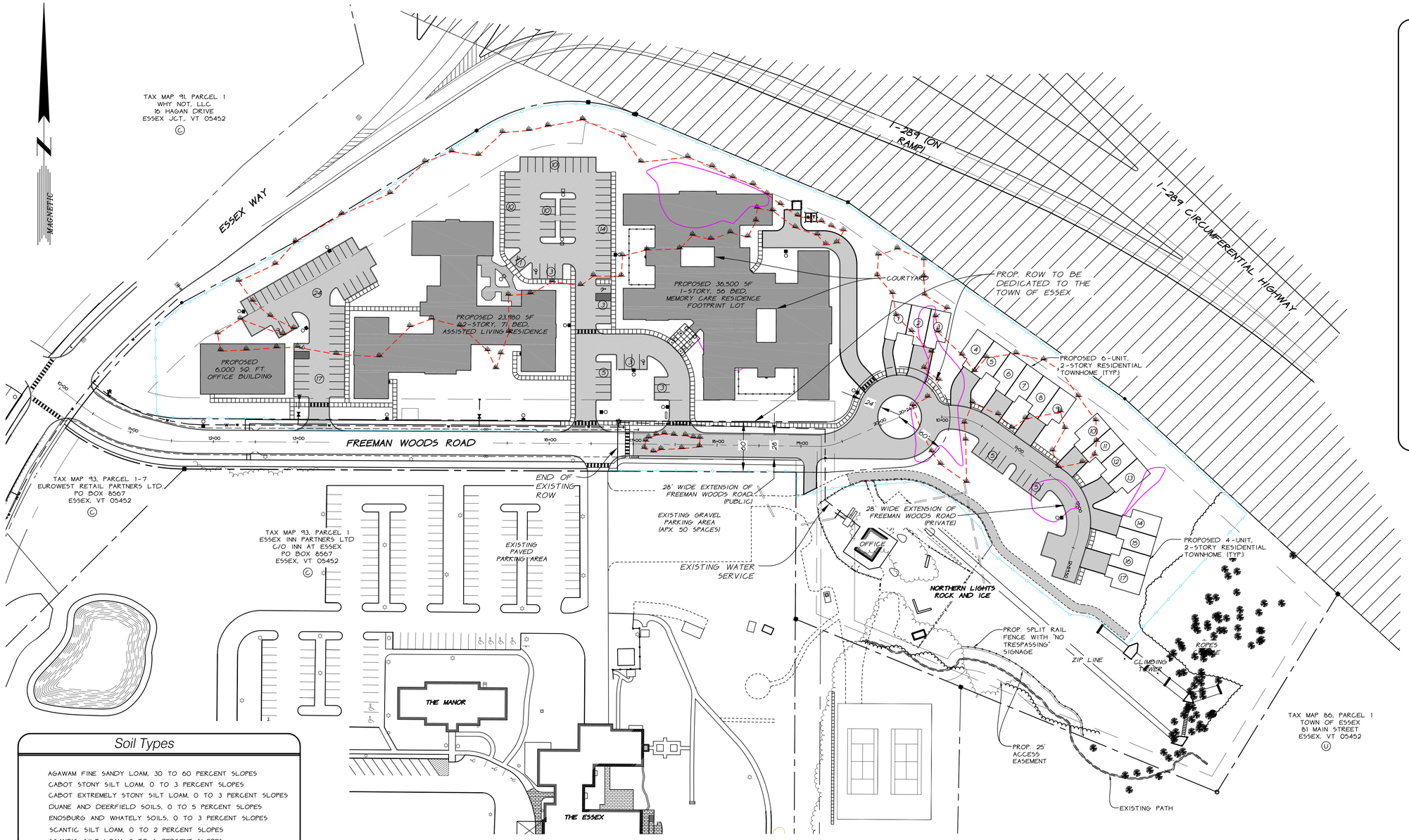
Spring Village at Freeman Woods

2014 WETLAND DELINEATION - Wetlands A, B, and C



1999 WETLAND DELINEATION OUTLINED IN MAGENTA. THIS DELINEASXTION WAS SUPERCEDED BY THE 2014 DELINEATION OUTLINED IN RED.

Date: 8-21-2014



Legend

- PROJECT BOUNDARY
- OTHER PROPERTY LINE
- BUILDING SETBACK
- SIDELINE OF EASEMENT
- CONTOUR LINE (U.S.G.S. DATUM)
- PROPOSED FINISH GRADE CONTOUR
- EDGE OF WOODED AREA
- SCENIC RESOURCE AREA
- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- IRON PIPE (TO BE SET)
- CONCRETE MONUMENT (TO BE SET)
- RESIDENTIAL USE
- COMMERCIAL USE
- UNDEVELOPED
- EXISTING ELECTRIC/TV/TELEPHONE LINE
- EXISTING SEWERLINE
- EXISTING STORMLINE
- EXISTING WATERLINE
- EXISTING/PROPOSED HYDRANT
- PROPOSED SEWER LINE
- PROPOSED STORMLINE
- PROPOSED WATERLINE
- PROPOSED LIGHT
- SILT FENCE

(NOTE : PROPOSED UTILITIES ARE SHOWN AS A SOLID LINE)

Parking

REQUIRED:

1. 6,000 S.F. GENERAL OFFICE
   6,000 S.F. OFFICE SP. X 1 SP. PER 250 S.F. GFA = 24 SPACES
2. BUILDING B: 23,980 S.F. ASSISTED LIVING FACILITY
   71 BED FACILITY X 3 SP. PER 5 BEDS = 43 SPACES
3. BUILDING C: 36,500 S.F. MEMORY CARE FACILITY
   56 BED FACILITY X 3 SP. PER 5 BEDS = 34 SPACES
4. 17 RESIDENTIAL TOWNHOMES
   17 DWELLING UNITS X 2.3 SPACES PER D.U. = 40 SPACES
5. ROPES COURSE AND CLIMBING CENTER
   ASSUME 80 PARTICIPANTS REQUIRING X .5 SPACE/PART. = 40 SPACES

TOTAL SPACES REQUIRED: 181 SPACES

PROVIDED:

1. COMMERCIAL AREA (OFFICE, ASSISTED LIVING, MEMORY CARE FACILITY): 109 SPACES
2. RESIDENTIAL AREA: 44 SPACES
3. NORTHERN LIGHTS ROPE COURSE: 38 SPACES

TOTAL SPACES PROVIDED: 191 SPACES (4 HANDICAPPED SPACES
2 VAN ACCESIBLE HANDICAPPED SPACE)

Soil Types

AGAWAM FINE SANDY LOAM, 30 TO 60 PERCENT SLOPES
CABOT STONY SILT LOAM, 0 TO 3 PERCENT SLOPES
CABOT EXTREMELY STONY SILT LOAM, 0 TO 3 PERCENT SLOPES
DUANE AND DEERFIELD SOILS, 0 TO 5 PERCENT SLOPES
ENOSBURG AND WHATELY SOILS, 0 TO 3 PERCENT SLOPES
SCANTIC SILT LOAM, 0 TO 2 PERCENT SLOPES
SCANTIC SILT LOAM, 2 TO 6 PERCENT SLOPES

Zoning Information

ADDRESS: 0 FREEMAN WOODS ROAD (PARCEL ID: 02094001001 + 02094001002)

ZONING DISTRICT: MIXED USE P.U.D
(MIXED USE DEVELOPMENT)

ADJACENT ZONING DISTRICTS AND SUBZONES: MEDIUM DENSITY RESIDENTIAL (R2)
RETAIL-BUSINESS (D1)
OPEN RECTREATION (R1)

DIMENSIONAL REQUIREMENTS

	REQUIRED RESIDENTIAL (R)	REQUIRED NON-RESIDENTIAL (NR)	PROPOSED LOT #1 (NR)
MINIMUM LOT AREA	20,000 S.F.	30,000 S.F.	474,237 S.F.
MINIMUM ROAD FRONTAGE	100'	150'	720'
MINIMUM FRONT SETBACK	40'	50'	25', WAIVER REQUESTED
MINIMUM SIDE SETBACK	15'	NONE	15'
MINIMUM REAR SETBACKE	20'	NONE	15'
MAXIMUM LOT COVERAGE	80%	70%	33.4%
MAXIMUM BUILDING HEIGHT	40 FEET	40 FEET	<40 FEET, 1 STORY

*NOTE: SETBACK FROM VT 289. THE SETBACK DEPTH OF ANY YARD BORDERING VT 289 SHALL BE 150' FROM THE ROW AND 50' FROM THE ROW OF EXIT AND ENTRANCE RAMPS OF VT 289.

WATER - MUNICIPAL
SEWER - MUNICIPAL
STORM - ON-SITE

GRAPHIC SCALE

60 0 30 60 120 240

(IN FEET)
1 inch = 60 ft.

STATE OF VERMONT
DAVID J. O'LEARY
No. 5477
PROFESSIONAL ENGINEER

BlackRock Property Design
302 MOUNTAIN VIEW DRIVE, SUITE 300
COLCHESTER, VT. 05446
PHONE: 488-3462
E-MAIL: projects@blackroclus.com

DATE	
SURVEY	OBCA
DESIGN	OBCA
DRAWN	DJH
CHECKED	PJO
SCALE	1"=60'

REVISION — BY

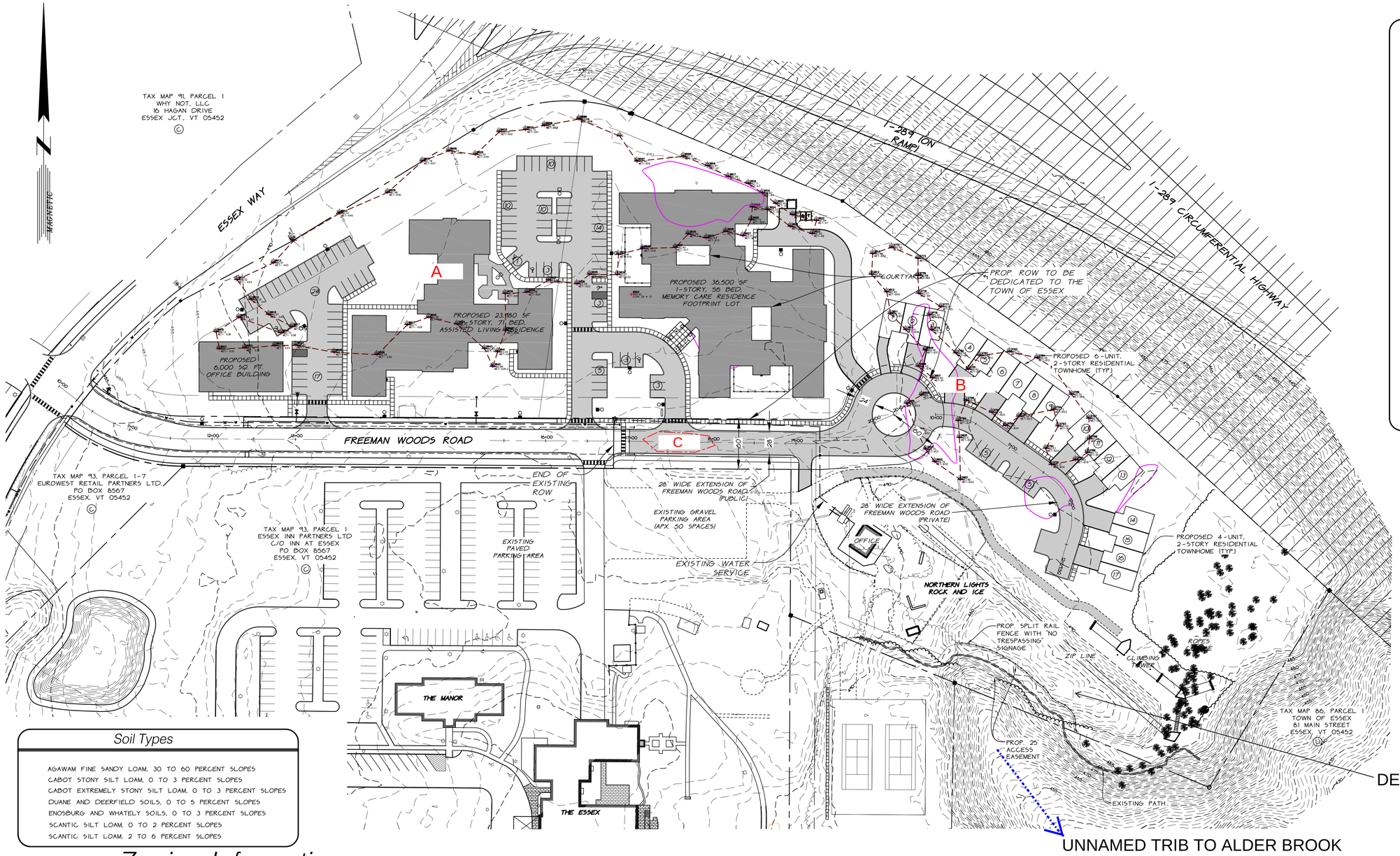
☐ RECORD DRAWING ☐ PRELIMINARY
■ FINAL ☐ SKETCH/CONCEPT

O'LEARY-BURKE
CIVIL ASSOCIATES, PLC
1 CORPORATE DRIVE, SUITE 1
ESSEX JCT., VT
PHONE: 878-0990
FAX: 878-9989
E-MAIL: obca@olearyburke.com

Spring Village at Freeman Woods
Freeman Woods Road — Essex, VT

Master Plan

DATE 8-21-2014
JOB# 2013-103
FILE 2013-103-S2
PLAN SHEET # 2



Legend

- PROJECT BOUNDARY
- OTHER PROPERTY LINE
- BUILDING SETBACK
- SIDELINE OF EASEMENT
- CONTOUR LINE (U.S.G.S. DATUM)
- PROPOSED FINISH GRADE CONTOUR
- EDGE OF WOODED AREA
- SCENIC RESOURCE AREA
- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT
- IRON PIPE (TO BE SET)
- CONCRETE MONUMENT (TO BE SET)
- (R) RESIDENTIAL USE
- (C) COMMERCIAL USE
- (U) UNDEVELOPED
- EXISTING ELECTRIC/TV/TELEPHONE LINE
- EXISTING SEWERLINE
- EXISTING STORMLINE
- EXISTING WATERLINE
- EXISTING/PROPOSED HYDRANT
- PROPOSED SEWER LINE
- PROPOSED STORMLINE
- PROPOSED WATERLINE
- PROPOSED LIGHT

(NOTE : PROPOSED UTILITIES ARE SHOWN AS A SOLID LINE)

Parking

REQUIRED:

1. 6,000 S.F. GENERAL OFFICE
   6,000 S.F. OFFICE SP. X 1 SP. PER 250 S.F. GFA = 24 SPACES
2. BUILDING B: 23,980 S.F. ASSISTED LIVING FACILITY
   71 BED FACILITY X 3 SP. PER 5 BEDS = 43 SPACES
3. BUILDING C: 36,500 S.F. MEMORY CARE FACILITY
   56 BED FACILITY X 3 SP. PER 5 BEDS = 34 SPACES
4. 17 RESIDENTIAL TOWNHOMES
   17 DWELLING UNITS X 2.3 SPACES PER D.U. = 40 SPACES
5. ROPES COURSE AND CLIMBING CENTER
   ASSUME 80 PARTICIPANTS REQUIRING X .5 SPACE/PART. = 40 SPACES

   TOTAL SPACES REQUIRED: 181 SPACES

PROVIDED:

1. COMMERCIAL AREA (OFFICE, ASSISTED LIVING, MEMORY CARE FACILITY): 109 SPACES
2. RESIDENTIAL AREA: 44 SPACES
3. NORTHERN LIGHTS ROPE COURSE: 38 SPACES

TOTAL SPACES PROVIDED: 191 SPACES (4 HANDICAPPED SPACES
2 VAN ACCESIBLE HANDICAPPED SPACE)

Soil Types

AGAWAM FINE SANDY LOAM, 30 TO 60 PERCENT SLOPES
CABOT STONY SILT LOAM, 0 TO 3 PERCENT SLOPES
CABOT EXTREMELY STONY SILT LOAM, 0 TO 3 PERCENT SLOPES
DUANE AND DEERFIELD SOILS, 0 TO 5 PERCENT SLOPES
ENOSBURG AND WHATELY SOILS, 0 TO 3 PERCENT SLOPES
SCANTIC SILT LOAM, 0 TO 2 PERCENT SLOPES
SCANTIC SILT LOAM, 2 TO 6 PERCENT SLOPES

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Spring Village at Freeman Woods
Freeman Woods Road — Essex, VT

Master Plan

MEMORANDUM FOR the File
SUBJECT: Spring Village at Freeman Woods
Application #NAE-2014-1749

Figure 1. Stream Stats

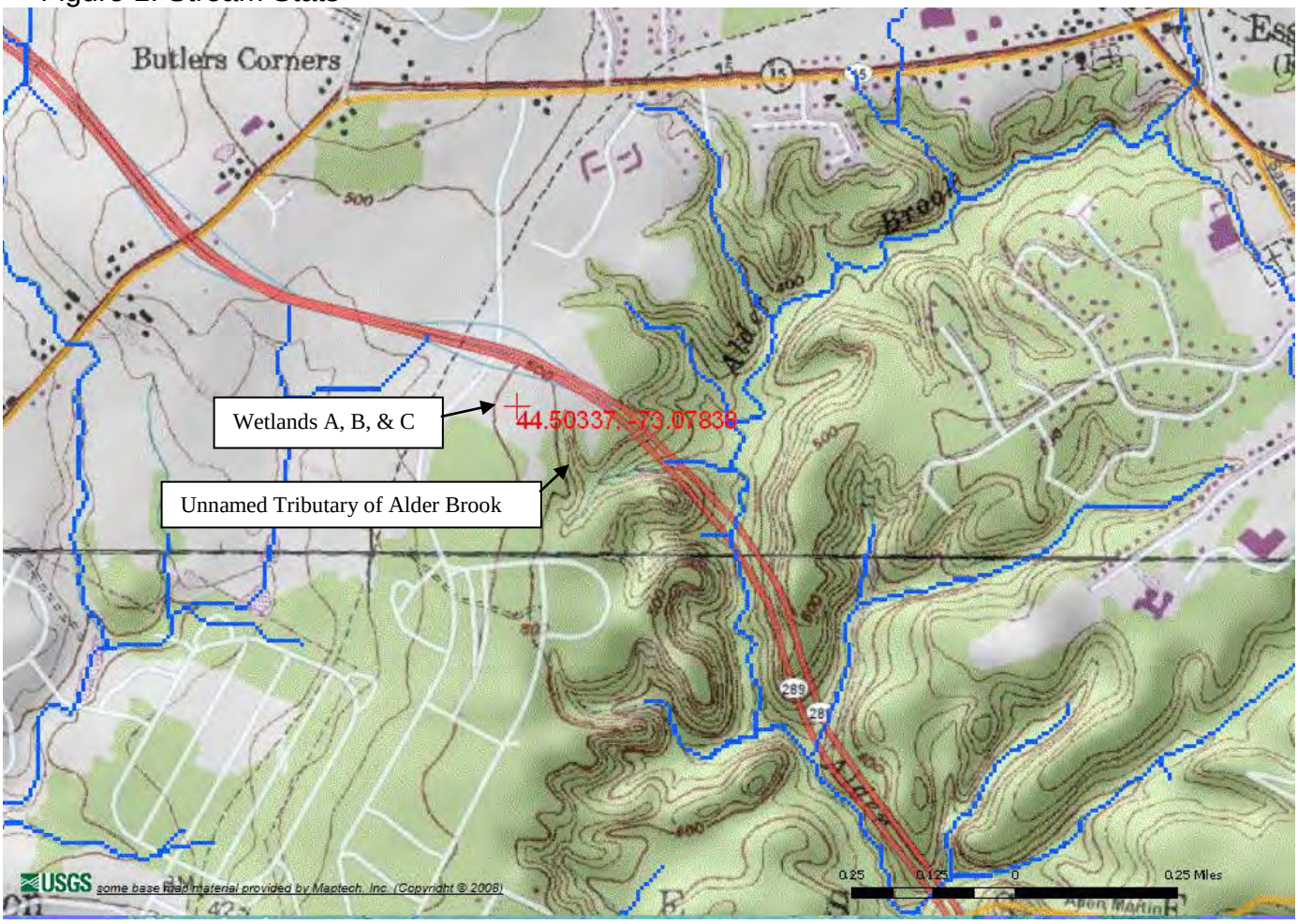

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Figure 2. Terrain Navigator Topo Map

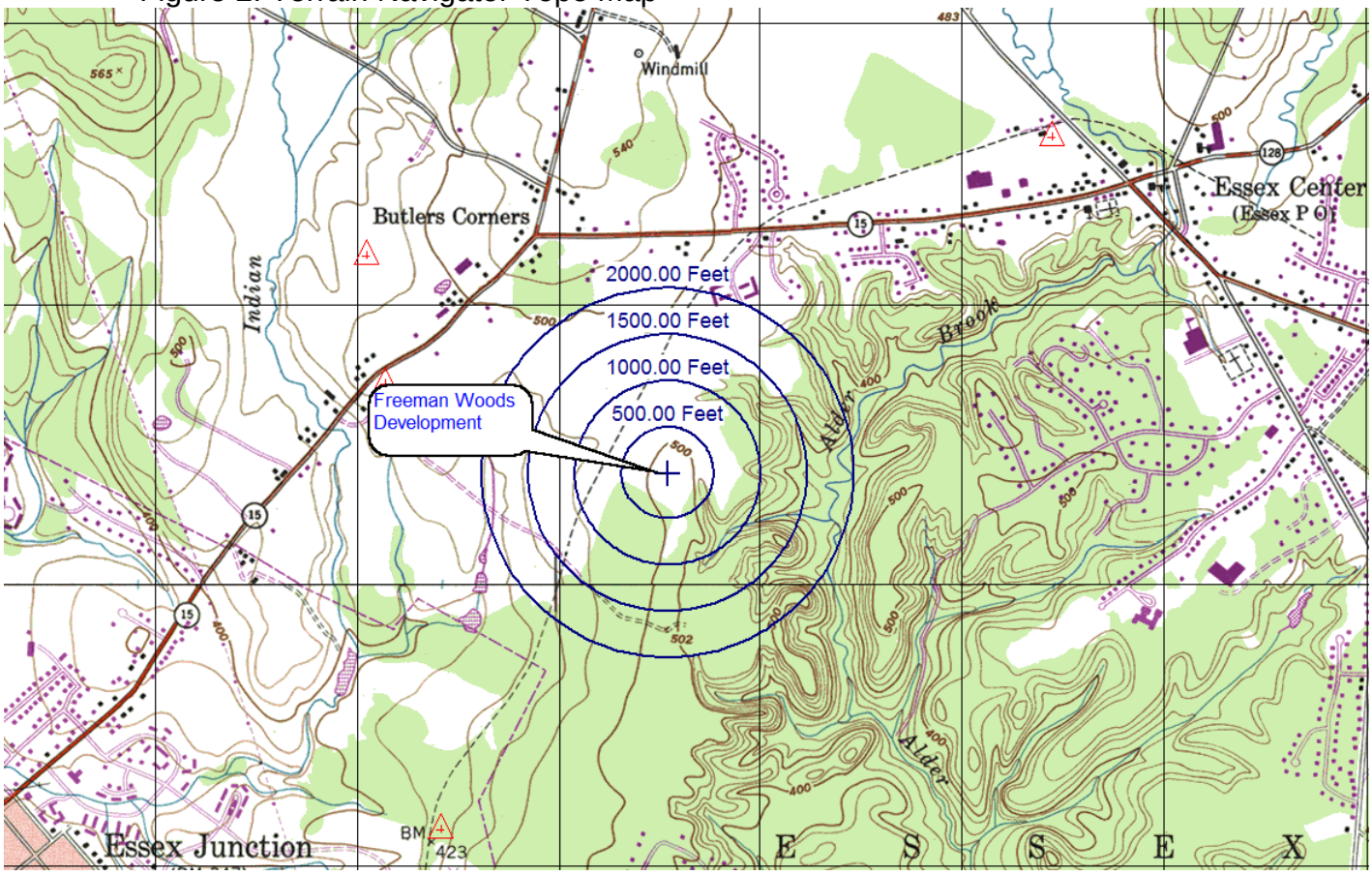

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Figure 3. Vermont Natural Resources Atlas – VT Significant Wetlands Inventory Map

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Figure 5-6. Stream Stats Watershed Delineation

Basin Characteristics Report

Date: Wed Sep 17 2014 13:38:17 Mountain Daylight Time
NAD27 Latitude: 44.5019 (44 30 07)
NAD27 Longitude: -73.0723 (-73 04 20)
NAD83 Latitude: 44.5020 (44 30 07)
NAD83 Longitude: -73.0718 (-73 04 19)

Parameter	Value
X coordinate of the outlet in Massachusetts State Plane (for Conn River SYE)	74906.2
Y coordinate of the outlet in Massachusetts State Plane (for Conn RIver SYE)	1140244.2
X coordinate of the centroid in Massachusetts State Plane (for Conn River SYE)	74572.4
Y coordinate of the centroid Massachusetts State Plane (for Conn River SYE)	1140246.8
Area in square miles	0.0408
Mean annual precipitation in the Conn River basin, in inches	0.000
High Elevation Index - Percent of area with elevation > 1200 ft	
Percent of area covered by lakes and ponds	
Coarse-grained stratified drift - SYE	
X coordinate of the outlet in VT State Plane (meters)	454525.0
Y coordinate of the outlet in Vermont State Plane (meters)	222575.0
X coordinate of the centroid in Vermont State Plane (meters)	454191.4
Y coordinate of the centroid Vermont State Plane (meters)	222573.7

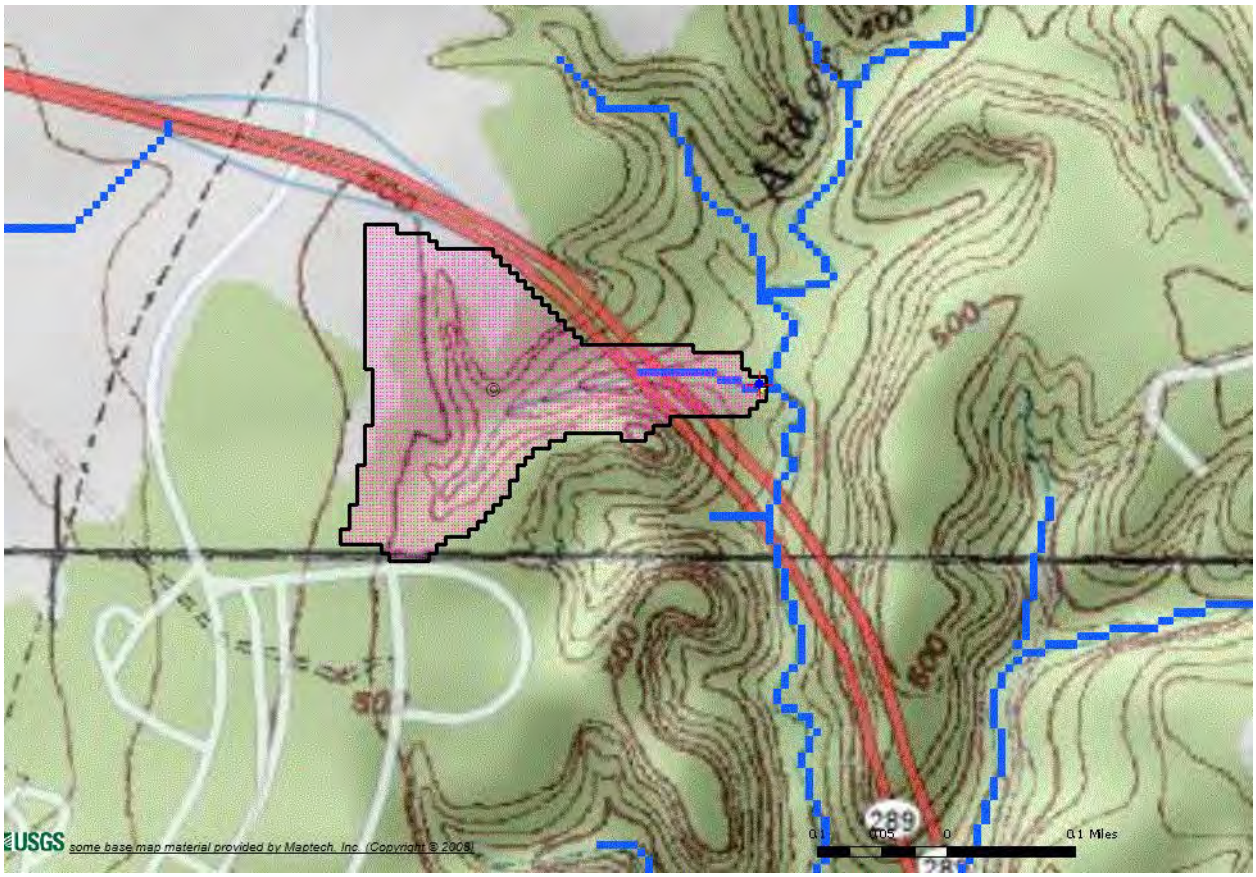

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PHOTO LOCATIONS (Google Maps)

MEMORANDUM FOR the File
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1.) Typical overview of Wetland B, photo facing southeast (8/26/2014)

2.) Typical site overview, photo facing northwest (8/26/2014)

3. Wetland C, photo facing west (9/17/2014)

4.) GoogleMaps Street View of wetlands, from Essex Way (image date June 2012)

5.) GoogleMaps Street View of site from I-289 on ramp (image date June 2012)

6.) Drainage ditch from Wetland B to inlet of detention pond, photo facing southeast (8/26/2014)

7.) Drainage ditch culvert inlet to detention pond (8/26/2014)

8.) Culvert outlet to detention pond (8/26/2014)

9.) Overview of detention pond, photo facing north (8/26/2014)

10.) Overview of detention pond, photo facing south (8/26/2014)

11.) Drop outlet from detention pond (8/26/2014)

12.) Detention pond outlet to unnamed tributary of Alder Brook (8/26/2014)

13.) Unnamed tributary of Alder Brook, looking upstream (8/26/2014)

14.) Unnamed tributary of Alder Brook, looking downstream (8/26/2014)