



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 12/4/2020

ORM Number: NAE-2020-02745

Associated JDs: N/A

Review Area Location¹: State/Territory: Vermont City: Saint Albans County/Parish/Borough: Franklin

Center Coordinates of Review Area: Latitude 44.782456 N Longitude -73.061613 W

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- ☐ The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- ☐ There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- ☐ There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- ☒ There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³				
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination	
N/A.	N/A.	N/A.	N/A.	

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
N/A.	N/A.	N/A.	N/A.	

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):				
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination	
N/A.	N/A.	N/A.	N/A.	

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination	
N/A.	N/A.	N/A.	N/A.	

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Ditch	151	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	The water does not meet the conditions of (b)(1) through (b)(4) or (b)(6) through (b)(12) exclusions and is not an (a)(1), (2), (3), or (4) water. See Section III C for additional rationale.
Wetland D	0.06	acre(s)	(b)(1) Non-adjacent wetland.	The water does not meet the conditions of (b)(2) through (b)(12) exclusions and is not an (a)(1), (2), (3), or (4) water. See Section III C for additional rationale.
Wetlands E, F, G, H, and I	0.24	acre(s)	(b)(1) Non-adjacent wetland.	The water does not meet the conditions of (b)(2) through (b)(12) exclusions and is not an (a)(1), (2), (3), or (4) water. See Section III C for additional rationale.
N/A.	N/A.	N/A.	N/A.	N/A.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

☒ Information submitted by, or on behalf of, the applicant/consultant: Site Plans titled “GLC – St Albans BCAF ACOE JD”, dated “Tuesday, November 17, 2020” (Figure 2) and “Wetland Map”, dated “9/24/2020” (Figure 4); Memorandum titled “Wetland Delineation and RTE Assessment – St Albans Air Base Solar Project”, dated “January 3, 2020” prepared by Fitzgerald Environmental Associates, LLC. with wetland determination data forms.

This information is sufficient for purposes of this AJD.

Rationale: The information submitted to support the jurisdictional determination request indicates that the review area was delineated in accordance with the U.S. Army Corps of Engineers Wetlands Delineation Manual and the Northcentral and Northeast Regional Supplement. Corps staff verified the delineation during a site visit on 22 October 2020.

- ☐ Data sheets prepared by the Corps: Title(s) and/or date(s).
- ☒ Photographs: Aerial and Other: See attached Figures 7 and 8
- ☒ Corps site visit(s) conducted on: 22 October 2020
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): ORM Number(s) and date(s).
- ☒ Antecedent Precipitation Tool: provide detailed discussion in Section III.B.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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- ☒ USDA NRCS Soil Survey: [Web Soil Survey reviewed 16 November 2020 \(Figure 6\)](#) and [Franklin County, Vermont soil survey issued April 1979](#).
- ☐ USFWS NWI maps: [Title\(s\) and/or date\(s\)](#).
- ☒ USGS topographic maps: [St Albans 7.5 minute QUAD, 1:24,000 \(Figure 1\)](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	St. Albans, VT topographical map (Figure 1)
USDA Sources	USDA NRCS Web Soil Survey, Franklin County, Vermont (Figure 6) and USDA StreamStats (Figure 9)
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	Vermont Interactive Map Viewer reviewed 17 November 2020 (Figure 5)
Other Sources	Google Earth Photos (Figure 7)

B. Typical year assessment(s): On 22 October 2020, the Corps conducted a field visit to review the wetland delineation and to determine jurisdiction. During the field visit, surface water was flowing in the feature labeled “Ditch” on the attached plan, titled “GLC – St Albans BCAF ACOE JD”, dated “Tuesday, November 17, 2020”. The APT report for 22 October 2020 indicates that at the time of the site visit normal conditions exist during mild drought conditions (Figure 3).

C. Additional comments to support AJD: This site is formally known as the Saint Albans (Bellevue Hill) Air Force Station (AFS) which was one of the first of twenty-four Air Defense Command stations of the United States surveillance radar network. Its primary mission was to detect potential inbound Soviet bombers invading the continental United States by flying over the Arctic Circle. On December 2, 1948, the Air Force directed the Army Corps of Engineers to start construction at this and the other sites. This station was active from November 1950 to June 1979.

This Approved Jurisdictional Determination is based on a 22 October 2020 site visit, and review of information available on public, state and federal web sites and information provided by the applicant.

The feature labeled “Ditch” is not identifiable in aerial photos, soil surveys, StreamStats and/or historical topography maps. The Ditch starts at the outlet of a culvert located along the eastern side of Bellevue Carriage Road. The inlet end of the culvert could not be located and is assumed to have been covered during the demolishing of the AFS. The Ditch flows north along the road shoulder and turns east along the southside of an abandoned driveway from a total length of 123’ where it is culverted for 67’ again, then daylighted for 28’ and is culverted again for 57’ before discharging to a wetland associated with an intermittent stream. The wetland and intermittent stream are both located outside of the ACOE Subject Area. The roadside Ditch was constructed when the AFS was developed and was used to convey surface runoff. The ditch likely received water from footing drains of the now demolished base buildings. Based on field observations and common construction practices we have concluded that the Ditch is not a naturally occurring surface water channel and does not contribute surface water flow to an (a)(1) water in a typical year either directly or indirectly through an (a)(2), (a)(3) or (a)(4) waters. Therefore, the Ditch is not a jurisdictional water.



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Wetland D is a palustrine emergent wetland about 0.06 acre in size located wholly within the limits of an old woods road. This feature is the direct result of development and poor maintenance and is a (b)(1) water. This wetland does not directly abut an (a)(1), (a)(2), or (a)(3) water, nor does it receive flow in a typical year from any tributary. Therefore, Wetland D is not a jurisdictional water.

Wetlands E, F, G, H and I are palustrine forested/emergent wetlands about 0.02 - 0.11 acre in size. These shallow depressional features are the result of underfilling old basements of the demolished AFS buildings. The wetlands are separated by upland from the intermittent stream located outside of the ACOE Subject Area. The closest wetland is about 325' away from the stream. Flow from the nearest intermittent stream does not inundate these wetlands. These wetlands do not directly abut an (a)(1), (a)(2), or (a)(3) water, nor do they receive flow in a typical year from any tributary. Therefore, Wetlands E, F, G, H and I are not jurisdictional waters.



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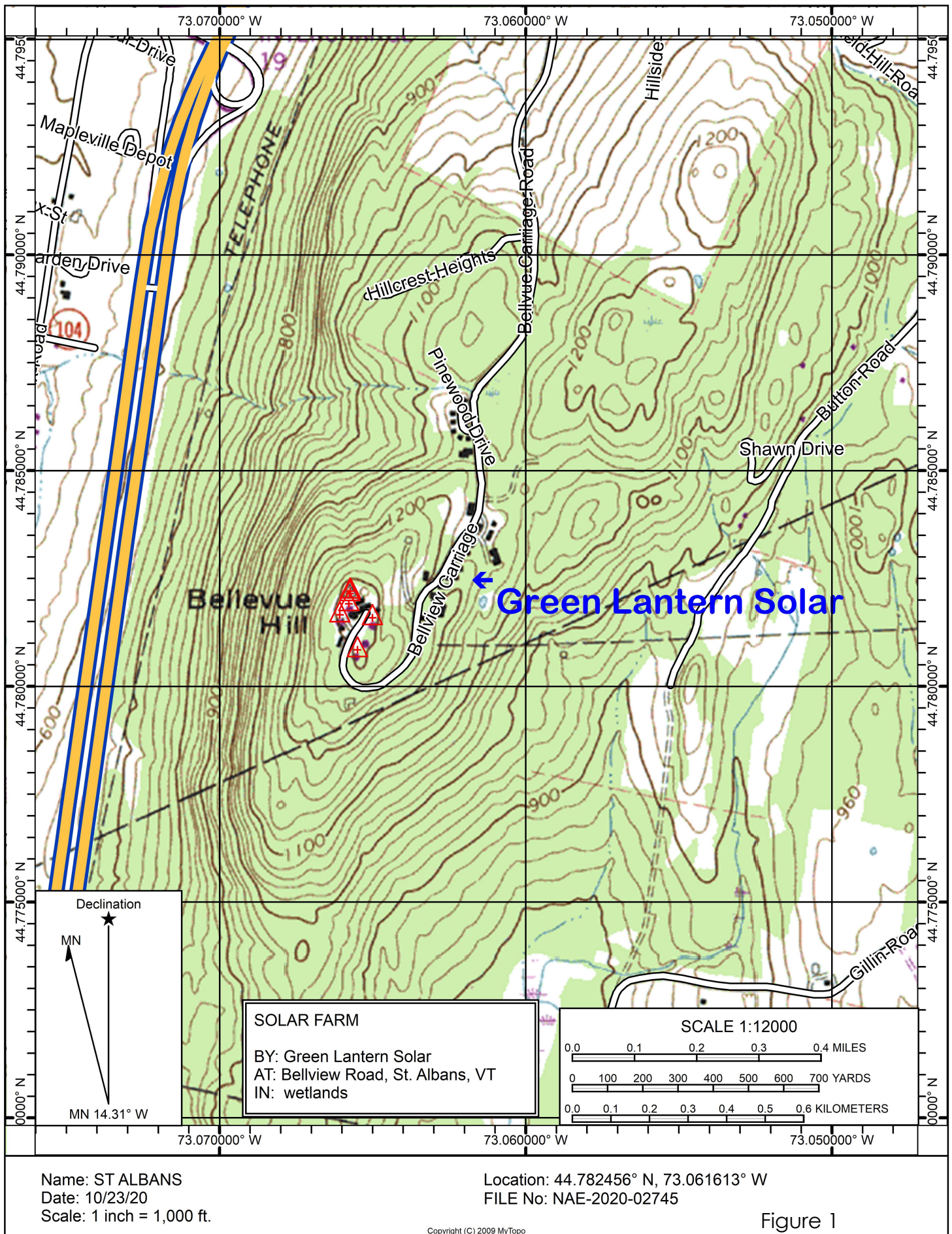


Figure 1

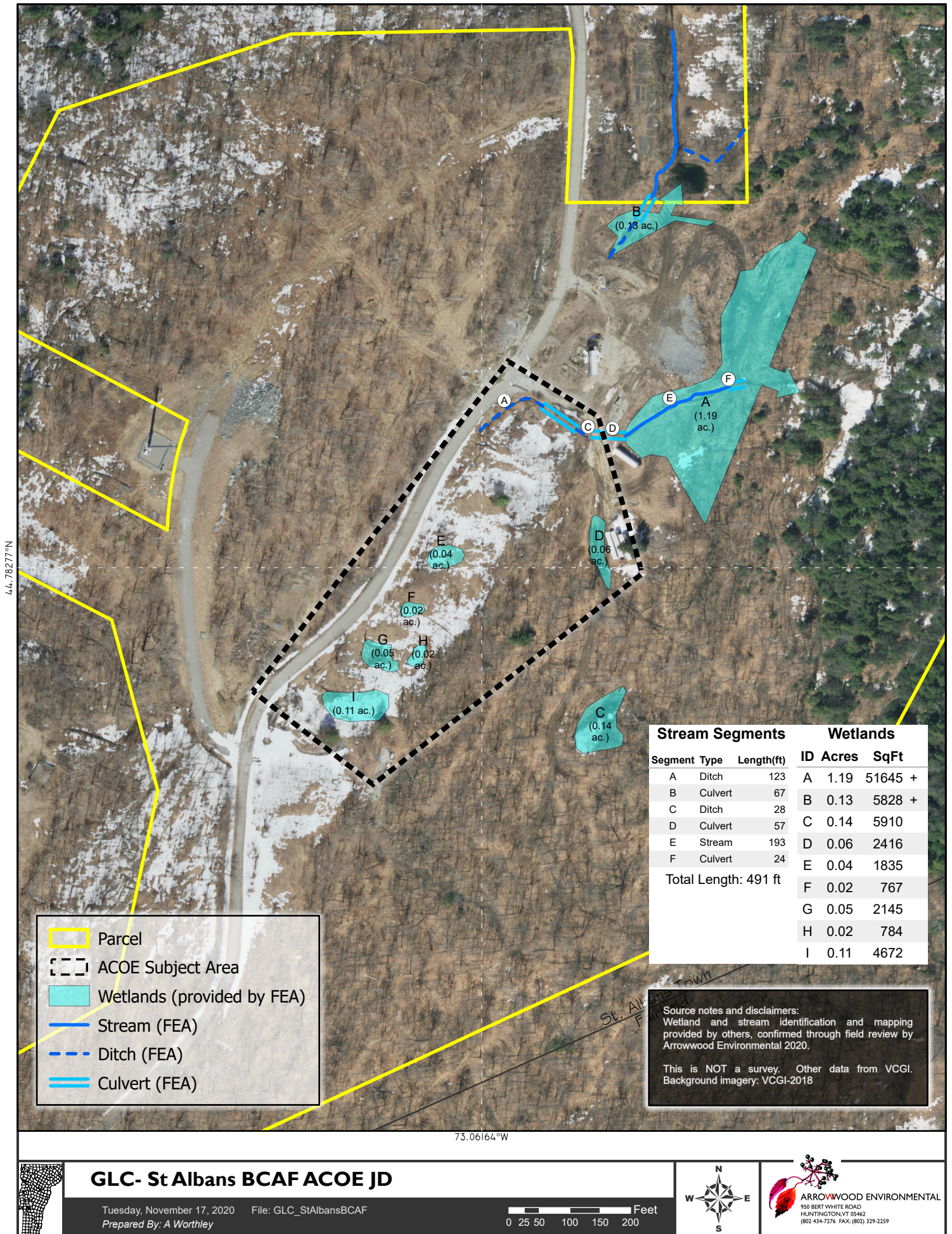
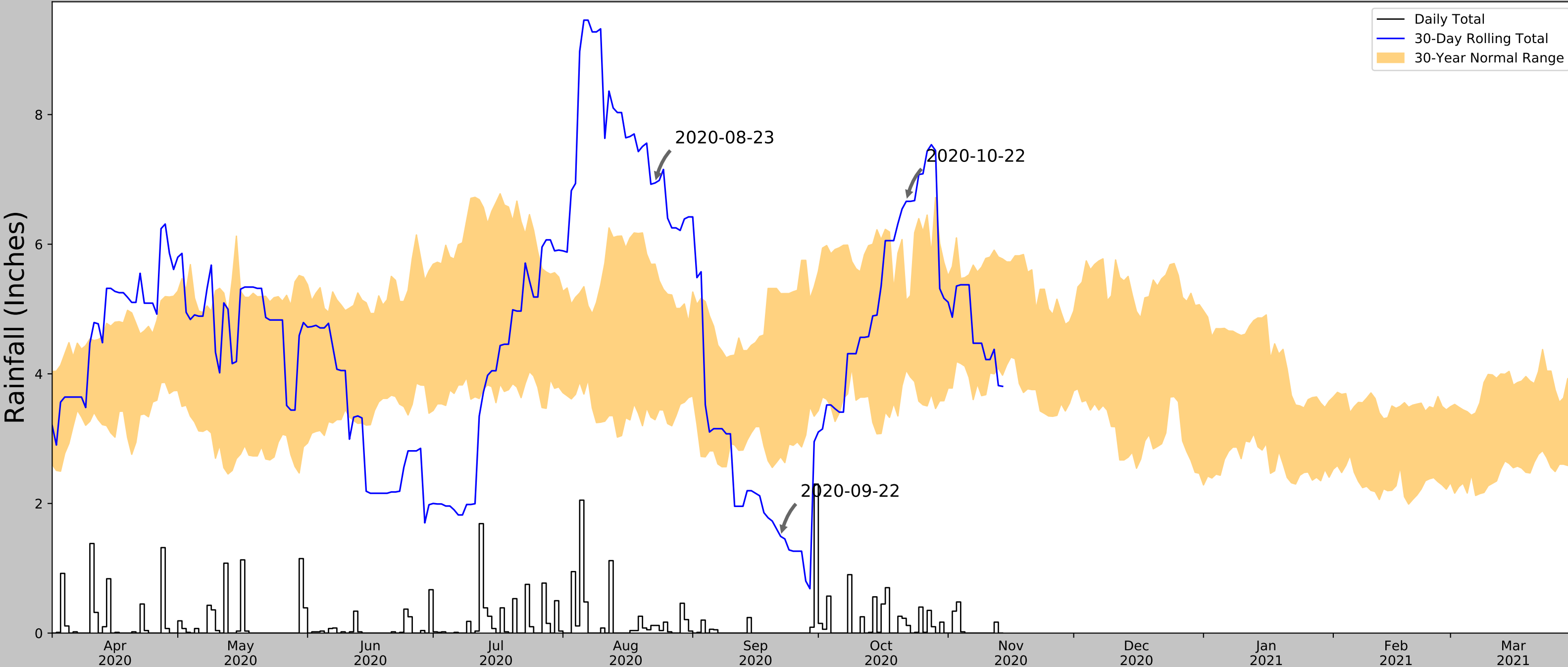


Figure 2

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	44.782456, -73.061613
Observation Date	2020-10-22
Elevation (ft)	1187.6
Drought Index (PDSI)	Mild drought
WebWIMP H ₂ O Balance	Wet Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2020-10-22	4.058268	5.13189	6.661418	Wet	3	3	9
2020-09-22	2.720473	5.237402	1.492126	Dry	1	2	2
2020-08-23	3.291732	5.692914	6.944882	Wet	3	1	3
Result							Normal Conditions - 14

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days (Normal)	Days (Antecedent)
JEFFERSONVILLE	44.5842, -72.7869	1163.058	19.229	24.542	9.125	7728	89
FAIRFAX 7.7 NNW	44.7654, -73.0793	546.916	1.463	640.684	1.596	9	0
ST. ALBANS 0.5 NE	44.8146, -73.0758	545.932	2.327	641.668	2.541	1	0
ST. ALBANS 1.9 NNE	44.8345, -73.0656	458.99	3.601	728.61	4.244	31	0
ST ALBANS RADIO	44.8592, -73.0911	379.921	5.496	807.679	6.912	3462	0
FAIRFAX 4.9 WNW	44.6888, -73.1034	501.969	6.788	685.631	7.709	0	1
UNDERHILL 4.4 NNE	44.5877, -72.9225	936.024	15.092	251.576	10.588	20	0
ENOSBURG FALLS 2	44.9097, -72.8136	424.869	14.997	762.731	18.187	69	0
ENOSBURG FALLS	44.9094, -72.8083	419.948	15.196	767.652	18.503	33	0

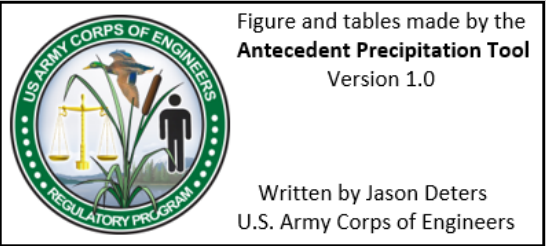


Figure 3

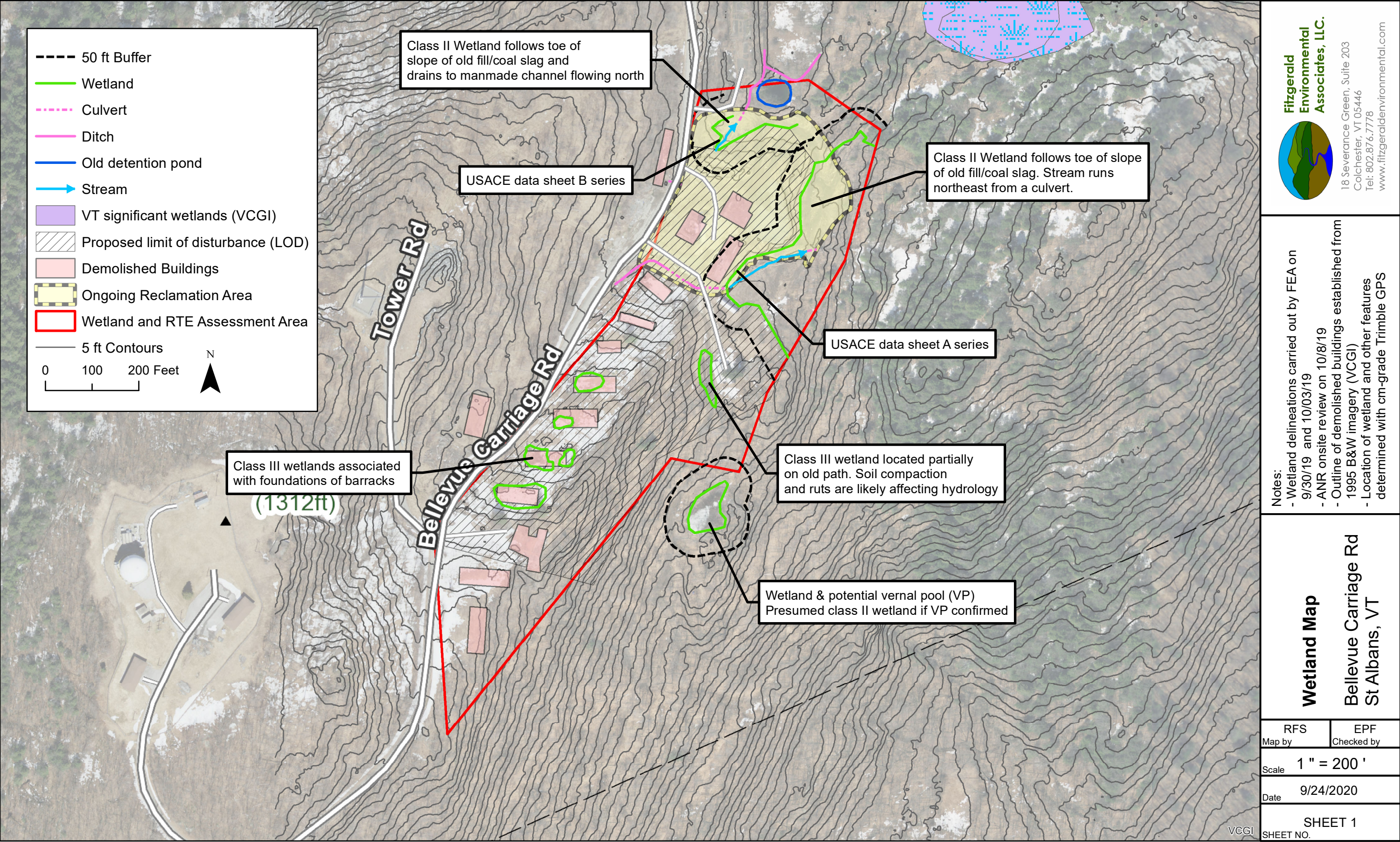
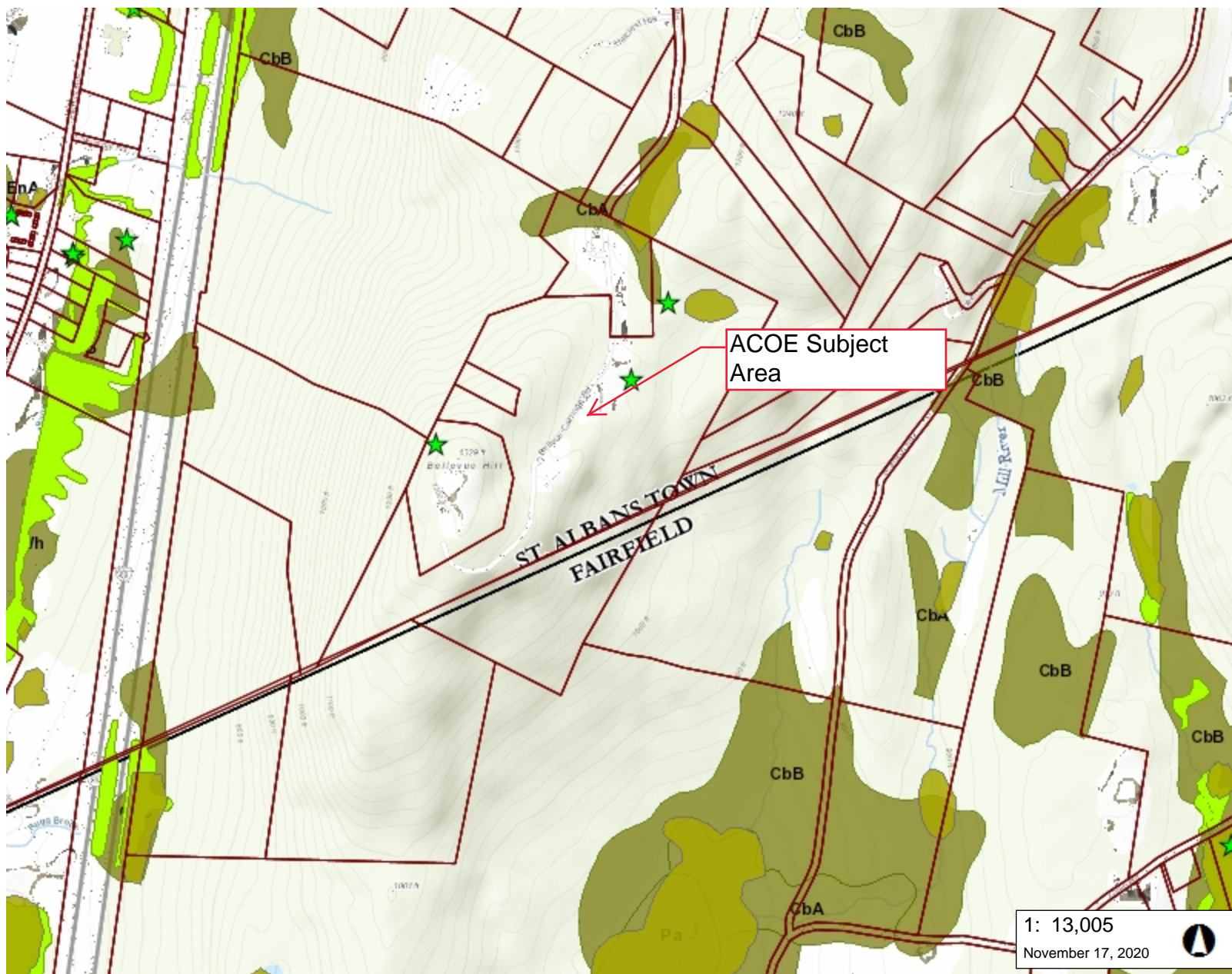















Figure 4



LEGEND

-  Vernal Pools Confirmed – AE/A
-  Vernal Pools Unconfirmed – AI
-  Wetland Projects
- Wetland - VSWI
 -  Class 1 Wetland
 -  Class 2 Wetland
 -  Buffer
-  Wetlands Advisory Layer
-  Soils - Hydric
-  Parcels (standardized)
- Stream/River
 -  Stream
 -  Intermittent Stream
-  Town Boundary
-  County Boundary

Title:
VT Interactive Map Viewer
Date Accessed:
17 November 2020

NOTES

Map created using ANR's Natural Resources Atlas

Figure 5

661.0 0 330.00 661.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Vermont Agency of Natural Resources

1" = 1084 Ft. 1cm = 130 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

1: 13,005

November 17, 2020



Soil Map—Franklin County, Vermont




Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

Figure 6


MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Franklin County, Vermont

Survey Area Data: Version 24, Jun 4, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 28, 2012—Mar 7, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PrC	Peru fine sandy loam, 3 to 15 percent slopes, very stony	4.4	10.5%
StB	Stowe stony fine sandy loam, 3 to 8 percent slopes	0.4	1.0%
WxD	Woodstock-Rock outcrop complex, 15 to 25 percent slopes	29.7	70.2%
WxE	Woodstock-Rock outcrop complex, 25 to 60 percent slopes	7.8	18.3%
Totals for Area of Interest		42.3	100.0%

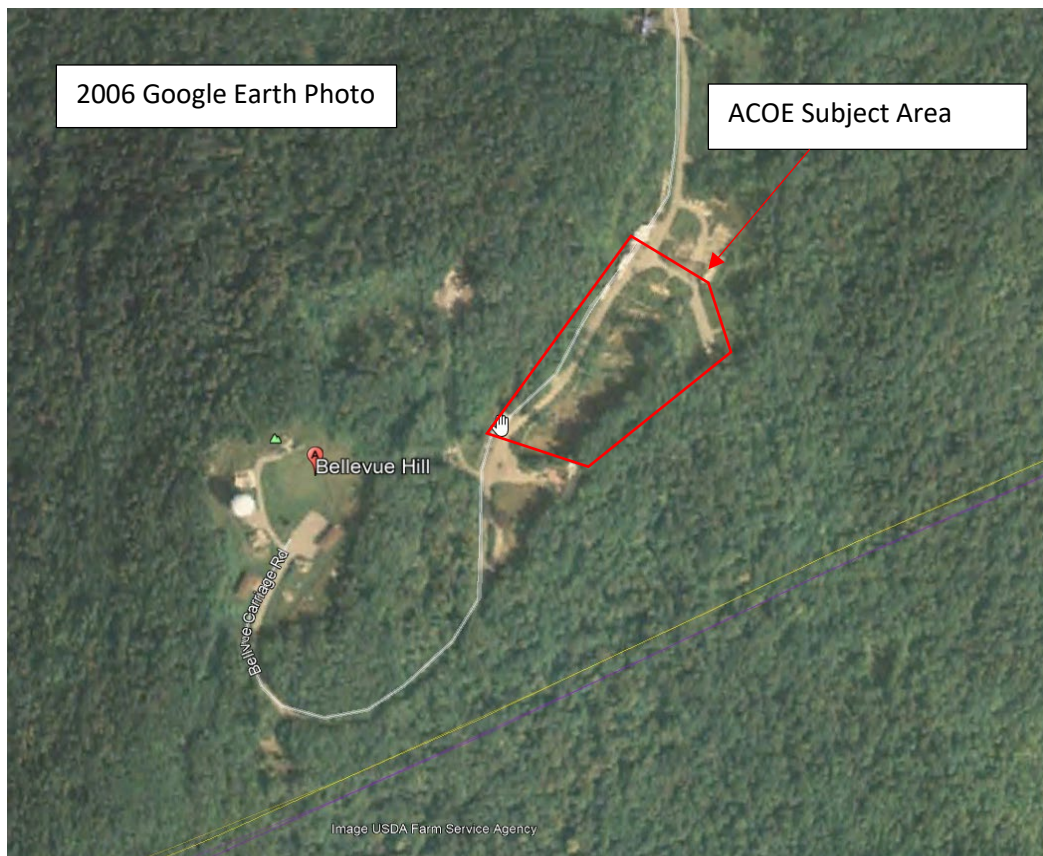
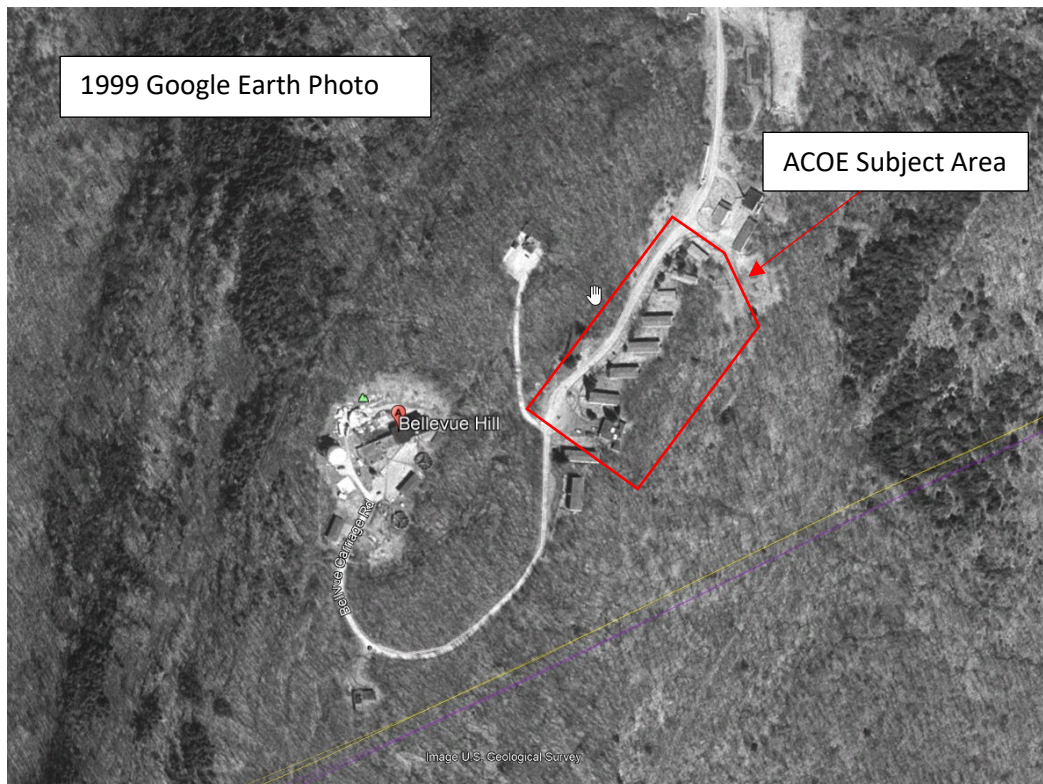


Figure 7



Figure 7 cont.



Photo taken 22 October 2020. Facing west looking at Wetland I.

Figure 8



Photo taken 22 October 2020. Standing within Wetland E.



Photo taken 22 October 2020. Beginning of the Ditch at the outlet of a culvert.

Figure 8 cont.



Photo taken 22 October 2020. Facing upstream toward Ditch between two culverts along old driveway.

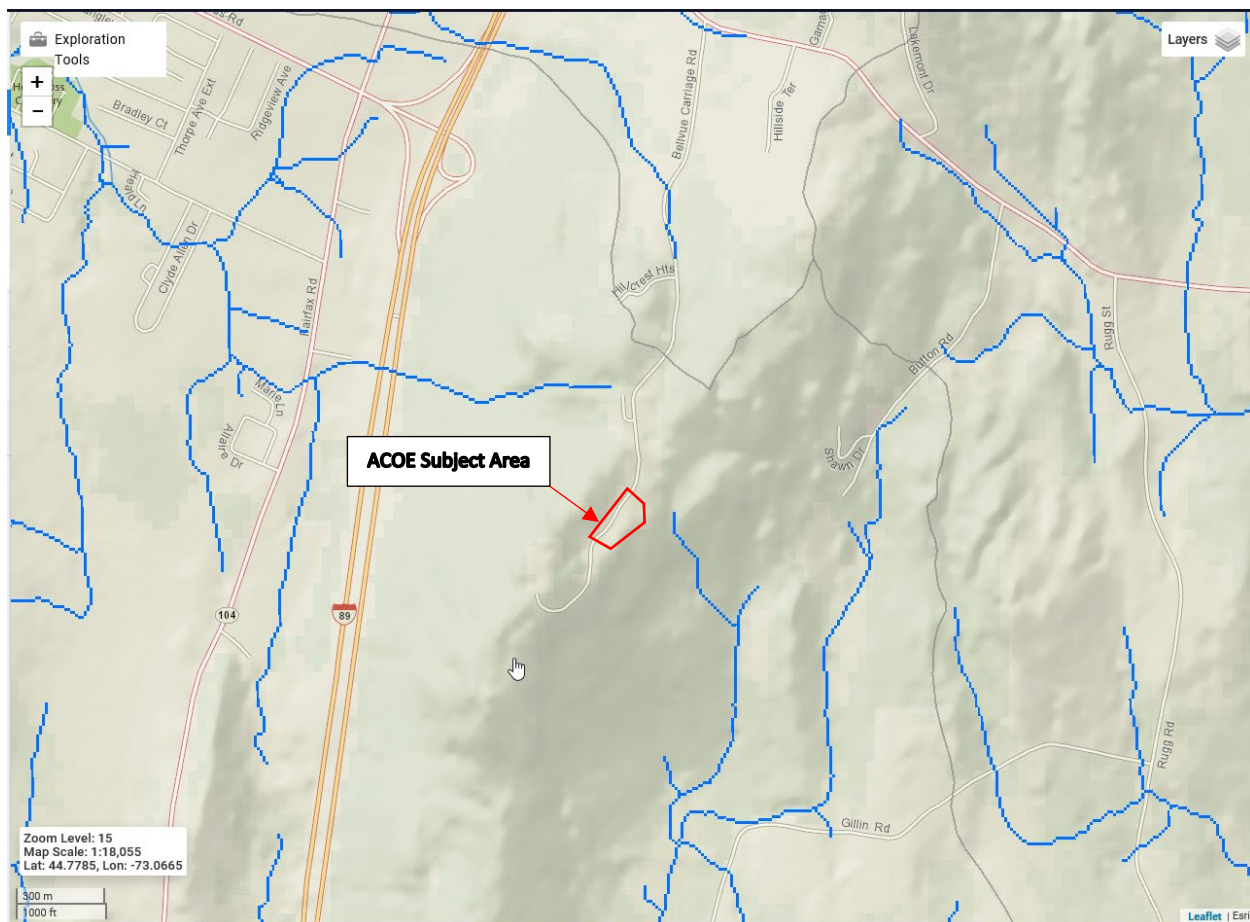


Photo taken 22 October 2020. Facing north towards Wetland D located in old woods road.

Figure 8 cont.



Historical photo of St. Albans Air Force Base (date and source unknown)



USDA NRCS StreamStats

Figure 9