

**U.S. ARMY CORPS OF ENGINEERS**  
**WILMINGTON DISTRICT**

Action Id. SAW-2020-02249 County: Chatham U.S.G.S. Quad: NC- Merry Oaks and New Hill

**NOTIFICATION OF JURISDICTIONAL DETERMINATION**

Requestor: Sage Ecological  
Kim Hamlin  
Address: 3707 Swift Drive  
Raleigh, NC 27605  
Telephone Number: 919-244-0623  
E-mail: khamlin@sageecological.com

Size (acres)	<u>1300</u>	Nearest Town	<u>Moncure</u>
Nearest Waterway	<u>Shaddox and Weaver Creeks</u>	River Basin	<u>Cape Fear</u>
USGS HUC	<u>03030002</u>	Coordinates	Latitude: <u>35.6640</u> Longitude: <u>-78.0138</u>

Location description: The project site is approximately 1,300 acres, located adjacent to Pea Ridge Road, bordered to the north by USACE/Jordan Lake property, the east by Old US Hwy 1, and to the south by New Elam Church Road, near the town of Moncure, Chatham County, North Carolina. The approved portion (project areas) of this determination only applies to the following waters: WAA, WD, WG, WIB-2, WTA-1, WTA-2, WU-1, WU-2, WU-3, WTB, PH1, PH2, PH3 as depicted on the attached delineation map. The preliminary portion of this determination applies to all other waters on site as depicted on the attached delineation map.

**Indicate Which of the Following Apply:**

**A. Preliminary Determination**

- There appear to be **waters, including wetlands** on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). The **waters, including wetlands** have been delineated, and the delineation has been verified by the Corps to be sufficiently accurate and reliable. The approximate boundaries of these waters are shown on the enclosed delineation map dated 3/15/2021. Therefore this preliminary jurisdiction determination may be used in the permit evaluation process, including determining compensatory mitigation. For purposes of computation of impacts, compensatory mitigation requirements, and other resource protection measures, a permit decision made on the basis of a preliminary JD will treat all waters and wetlands that would be affected in any way by the permitted activity on the site as if they are jurisdictional waters of the U.S. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction.
- There appear to be **waters, including wetlands** on the above described project area/property, that may be subject to Section 404 of the Clean Water Act (CWA)(33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). However, since the **waters, including wetlands** have not been properly delineated, this preliminary jurisdiction determination may not be used in the permit evaluation process. Without a verified wetland delineation, this preliminary determination is merely an effective presumption of CWA/RHA jurisdiction over all of the **waters, including wetlands** at the project area, which is not sufficiently accurate and reliable to support an enforceable permit decision. We recommend that you have the **waters, including wetlands** on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.

**B. Approved Determination**

- There are Navigable Waters of the United States within the above described project area/property subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are **waters, including wetlands** on the above described project area/property subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.

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- We recommend you have the **waters, including wetlands** on your project area/property delineated. As the Corps may not be able to accomplish this wetland delineation in a timely manner, you may wish to obtain a consultant to conduct a delineation that can be verified by the Corps.
- The **waters, including wetlands** on your project area/property have been delineated and the delineation has been verified by the Corps. The approximate boundaries of these waters are shown on the enclosed delineation map dated **DATE**. We strongly suggest you have this delineation surveyed. Upon completion, this survey should be reviewed and verified by the Corps. Once verified, this survey will provide an accurate depiction of all areas subject to CWA jurisdiction on your property which, provided there is no change in the law or our published regulations, may be relied upon for a period not to exceed five years.
- The **waters, including wetlands** have been delineated and surveyed and are accurately depicted on the plat signed by the Corps Regulatory Official identified below on **DATE**. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no waters of the U.S., to include wetlands, present on the above described project area/waters as described above which are subject to the permit requirements of Section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The property is located in one of the 20 Coastal Counties subject to regulation under the Coastal Area Management Act (CAMA). You should contact the Division of Coastal Management in **Morehead City, NC, at (252) 808-2808** to determine their requirements.

Placement of dredged or fill material within waters of the US, including wetlands, without a Department of the Army permit may constitute a violation of Section 301 of the Clean Water Act (33 USC § 1311). Placement of dredged or fill material, construction or placement of structures, or work within navigable waters of the United States without a Department of the Army permit may constitute a violation of Sections 9 and/or 10 of the Rivers and Harbors Act (33 USC § 401 and/or 403). If you have any questions regarding this determination and/or the Corps regulatory program, please contact **James Lastinger** at **919-554-4884 ext 32** or **James.C.Lastinger@usace.army.mil**.

**C. Basis For Determination: Basis For Determination: See the preliminary jurisdictional determination form and approved jurisdictional determination form dated 06/04/2021.**

**D. Remarks: None.**

**E. Attention USDA Program Participants**

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

**F. Appeals Information (This information applies only to approved jurisdictional determinations as indicated in B. above)**

This correspondence constitutes an approved jurisdictional determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers  
South Atlantic Division  
Attn: Philip Shannin, Review Officer  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **8/3/2021**.

**\*\*It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.\*\***

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Corps Regulatory Official: \_\_\_\_\_

*James Laster*

Date of JD: 06/04/2021

Expiration Date of AJD: 6/04/2026

Expiration Date of JD: Not applicable

**SAW-2020-02249**

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the Customer Satisfaction Survey located at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0)

Copy furnished:

Property Owner: **The Conservancy Real Estate Group, LLC**  
**Andrew Ross**  
Address: **4201 Taylor Hall Place**  
**Chapel Hill, NC 27517**  
Telephone Number: **919-703-6203**  
E-mail: **andrewross647@gmail.com**

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND  
REQUEST FOR APPEAL**

Applicant: <b>Sage Ecological, Kim Hamlin</b>		File Number: <b>SAW-2020-02249</b>	Date: <b>06/04/2021</b>
Attached is:		See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL	C	
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D	
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or the Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT: You may accept or appeal the permit**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**E: PRELIMINARY JURISDICTIONAL DETERMINATION:** You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

**REASONS FOR APPEAL OR OBJECTIONS:** (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

**ADDITIONAL INFORMATION:** The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:  
**District Engineer, Wilmington Regulatory Division**  
**Attn: James Lastinger**  
**Raleigh Regulatory Office**  
**U.S Army Corps of Engineers**  
**3331 Heritage Trade Drive, Suite 105**  
**Wake Forest, North Carolina 27587**

If you only have questions regarding the appeal process you may also contact:  
**Mr. Philip Shannin, Administrative Appeal Review Officer**  
**CESAD-PDO**  
**U.S. Army Corps of Engineers, South Atlantic Division**  
**60 Forsyth Street, Room 10M15**  
**Atlanta, Georgia 30303-8801**  
**Phone: (404) 562-5137**

**RIGHT OF ENTRY:** Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number:
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*For appeals on Initial Proffered Permits send this form to:*

**District Engineer, Wilmington Regulatory Division, Attn: James Lastinger , 69 Darlington Avenue, Wilmington, North Carolina 28403**

*For Permit denials, Proffered Permits and Approved Jurisdictional Determinations send this form to:*

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Philip Shannin, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801**  
**Phone: (404) 562-5137**



**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): 06/04/2021  
 ORM Number: SAW-2020-02249  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: NC City: Moncure County/Parish/Borough: Chatham  
 Center Coordinates of Review Area: Latitude 35.6640 Longitude -78.0138

**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)<sup>2</sup>**

§ 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): <sup>3</sup>			
(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.

<sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requester.

<sup>2</sup> 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.

<sup>3</sup> 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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NAVIGABLE WATERS PROTECTION RULE**

**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
WAA	0.043	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WAA is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WD	0.092	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WD is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WG	0.272	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WG is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WIB-2	0.016	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WIB-2 is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WTA-1	0.023	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WTA-1 is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WTA-2	0.133	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WTA-2 is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WU-1	0.209	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WU-1 is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WU-2	0.039	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WU-2 is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WU-3	0.173	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WU-3 is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
WTB	0.005	acre(s)	(b)(1) Non-adjacent wetland.	Wetland WTB is surrounded entirely by uplands and is physically remote/isolated from downstream waters.
PH1	0.157	acre(s)	(b)(8) Artificial lake/pond constructed or	Pond PH1 was dug entirely within uplands

<sup>4</sup> 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.

<sup>5</sup> 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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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	
PH2	0.674	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	Pond PH2 was dug entirely within uplands
PH3	0.111	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	Pond PH2 was dug entirely within uplands

**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: [JD request packet dated December 21, 2020](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).

Photographs: [Aerial and Other: Aerial \(undated\) and site photos \(March 24, 2021\)](#)



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- Corps site visit(s) conducted on: [August 27, 2020](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Chatham County, 1960, sheets 11 and 12](#)
- USFWS NWI maps: [USFWS NWI mapper 2018](#)
- USGS topographic maps: [2013 Merry Oaks and New Hill Quads](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>

**B. Typical year assessment(s):** [APT indicated normal conditions at the time of August 2020 site visit.](#)

**C. Additional comments to support AJD:** [N/A or provide additional discussion as appropriate.](#)

**PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM**

**BACKGROUND INFORMATION**

- A. REPORT COMPLETION DATE FOR PJD:** 06/04/2021
- B. NAME AND ADDRESS OF PERSON REQUESTING PJD:** Sage Ecological, Kim Hamlin, 3707 Swift Drive, Raleigh, NC 27605
- C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Wilmington District, The Conservancy subdivision, SAW-2020-02249
- D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:** The project site is approximately 1,300 acres, located adjacent to Pea Ridge Road, bordered to the north by USACE/Jordan Lake property, the east by Old US Hwy 1, and to the south by New Elam Church Road, near the town of Moncure, Chatham County, North Carolina. The approved portion (project areas) of this determination only applies to the following waters: WAA, WD, WG, WIB-2, WTA-1, WTA-2, WU-1, WU-2, WU-3, WTB, PH1, PH2, PH3 as depicted on the attached delineation map. The preliminary portion of this determination applies to all other waters on site as depicted on the attached delineation map.

**(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: NC    County: Chatham    City: Moncure  
Center coordinates of site (lat/long in degree decimal format): Latitude: 35.6640 Longitude: -78.0138

Universal Transverse Mercator:

Name of nearest waterbody: Shaddox and Weaver  
Creeks

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

- Office (Desk) Determination. Date: June 4, 2021
- Field Determination. Date(s): August 27, 2020

**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION**

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resources in review area (acreage and linear feet, if applicable)	Type of aquatic resources (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
LXG	35.6702	-79.0289	0.026	Wetland	Section 404
WA-1	35.6633	-78.9919	1.220	Wetland	Section 404
WA-2	35.6638	-78.9942	0.149	Wetland	Section 404
WAC	35.6639	-78.9973	0.028	Wetland	Section 404
WAD-1	35.6627	-78.9941	0.018	Wetland	Section 404
WAD-2	35.6632	-78.9940	0.005	Wetland	Section 404
WAG	35.6650	-78.9995	0.106	Wetland	Section 404
WDG-1	35.6796	-79.0352	0.001	Wetland	Section 404
WDG-2	35.6790	-79.0349	0.113	Wetland	Section 404
WDG-3	35.6775	-79.0340	0.018	Wetland	Section 404
WF	35.6600	-78.9990	0.295	Wetland	Section 404
WFX-1	35.6531	-79.0163	0.179	Wetland	Section 404
WFX-2	35.6513	-79.0155	0.217	Wetland	Section 404
WFX-3	35.6513	-79.0155	0.019	Wetland	Section 404
WFZ	35.6522	-79.0161	0.001	Wetland	Section 404
WGZ	35.6578	-79.0061	0.366	Wetland	Section 404
WIA-1	35.6533	-79.0055	0.351	Wetland	Section 404
WIA-2	35.6541	-79.0046	0.861	Wetland	Section 404
WIB	35.6542	-79.0037	0.143	Wetland	Section 404
WIO-1	35.6585	-79.0032	0.649	Wetland	Section 404
WK-1	35.6604	-79.0070	0.245	Wetland	Section 404
WK-2	35.6605	-79.0085	0.021	Wetland	Section 404
WK-3	35.6606	-79.0088	0.025	Wetland	Section 404
WM	35.6605	-79.0101	0.050	Wetland	Section 404
WM-1	35.6631	-79.0074	0.211	Wetland	Section 404
WM-2	35.6634	-79.0087	0.216	Wetland	Section 404
WM-3	35.6620	-79.0107	0.041	Wetland	Section 404
WM-4	35.6619	-79.0087	0.308	Wetland	Section 404
WM-5	35.6590	-79.0102	2.033	Wetland	Section 404
WM-6	35.6556	-79.0120	5.46	Wetland	Section 404
WN	35.6598	-79.0112	0.055	Wetland	Section 404
WP-1	35.6597	-79.0163	0.865	Wetland	Section 404
WR	35.6609	-79.0195	5.493	Wetland	Section 404
WS	35.6657	-79.0197	7.791	Wetland	Section 404
WTC	35.6696	-79.0231	1.072	Wetland	Section 404
WWA-1	35.6753	-79.0352	0.080	Wetland	Section 404
WWA-2	35.6749	-79.0339	0.108	Wetland	Section 404
WWB	35.6734	-79.0331	0.144	Wetland	Section 404
WWC-1	35.6728	-79.0334	0.458	Wetland	Section 404
WWC-2	35.6723	-79.0328	0.023	Wetland	Section 404

WWD	35.6716	-79.0325	0.012	Wetland	Section 404
WWE-1	35.6704	-79.0318	0.233	Wetland	Section 404
WWE-2	35.6704	-79.0313	0.204	Wetland	Section 404
WWF	35.6700	-79.0310	0.021	Wetland	Section 404
WWG	35.6698	-79.0311	0.004	Wetland	Section 404
WWH	35.6693	-79.0311	0.227	Wetland	Section 404
WX	35.6670	-79.0070	0.006	Wetland	Section 404
WXF	35.6654	-79.0257	1.493	Wetland	Section 404
WXG	35.6665	-79.0291	0.759	Wetland	Section 404
WXG-1	35.6684	-79.0256	1.926	Wetland	Section 404
WXPS	35.6622	-79.0319	0.158	Wetland	Section 404
WZ-1	35.6661	-79.0078	0.109	Wetland	Section 404
WZ-2	35.6664	-79.0075	0.093	Wetland	Section 404
WZ-3	35.6667	-79.0071	0.030	Wetland	Section 404
XG	35.6683	-79.0287	0.004	Wetland	Section 404
XG-2	35.6687	-79.0291	6.645	Wetland	Section 404
M2	35.6617	-79.0089	133	Non-wetland	Section 404
PS1	35.6633	-79.0304	0.27	Non-wetland	Section 404
PS2	35.6620	-79.0314	0.082	Non-wetland	Section 404
PS3	35.6538	-79.0136	1.58	Non-wetland	Section 404
SA	35.6632	-78.9911	2824	Non-wetland	Section 404
SA-1	35.6639	-78.9912	148	Non-wetland	Section 404
SA-2	35.6628	-78.9940	339	Non-wetland	Section 404
SA-3	35.6640	-78.9973	328	Non-wetland	Section 404
SAB	35.6661	-79.0044	667	Non-wetland	Section 404
SC	35.6663	-78.9974	316	Non-wetland	Section 404
SE	35.6640	-78.9945	539	Non-wetland	Section 404
SFZ	35.6605	-79.0101	478	Non-wetland	Section 404
SI	35.6522	-79.0067	1643	Non-wetland	Section 404
SK	35.6605	-79.0091	494	Non-wetland	Section 404
SM-2	35.6630	-79.0088	349	Non-wetland	Section 404
SM-3	35.6605	-79.0101	539	Non-wetland	Section 404
SM4	35.6614	-79.0090	533	Non-wetland	Section 404
SM5	35.6579	-79.0109	1720	Non-wetland	Section 404
SP	35.6579	-79.0178	216	Non-wetland	Section 404
SS	35.6634	-79.0283	767	Non-wetland	Section 404
SW	35.6740	-79.0335	4030	Non-wetland	Section 404
SW-2	35.6675	-79.0296	247	Non-wetland	Section 404
SX	35.6669	-79.0069	262	Non-wetland	Section 404
SXF	35.6520	-79.0160	496	Non-wetland	Section 404
SXG	35.6680	-79.0290	783	Non-wetland	Section 404

1. The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for PJD (check all that apply)** Checked items are included in the administrative record and are appropriately cited:

Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:

Map: **Attached**

Data sheets prepared/submitted by or on behalf of the PJD requestor. Datasheets:

Office concurs with data sheets/delineation report.

Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_

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: **Merry Oaks and New Hill Quad**

Natural Resources Conservation Service Soil Survey. Citation: **Chatham County, 1960, sheets 11 and 12**

National wetlands inventory map(s). Cite name: **USFWS NWI mapper**

State/local wetland inventory map(s): \_\_\_\_\_

FEMA/FIRM maps: **NC FIRM maps**

100-year Floodplain Elevation is: \_\_\_\_\_ (National Geodetic Vertical Datum of 1929)

Photographs:  Aerial (Name & Date): **undated**

or  Other (Name & Date): **site photos dated 12/21/2020**

Previous determination(s). File no. and date of response letter: \_\_\_\_\_

Other information (please specify):

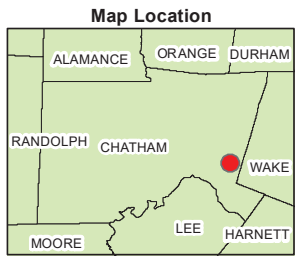
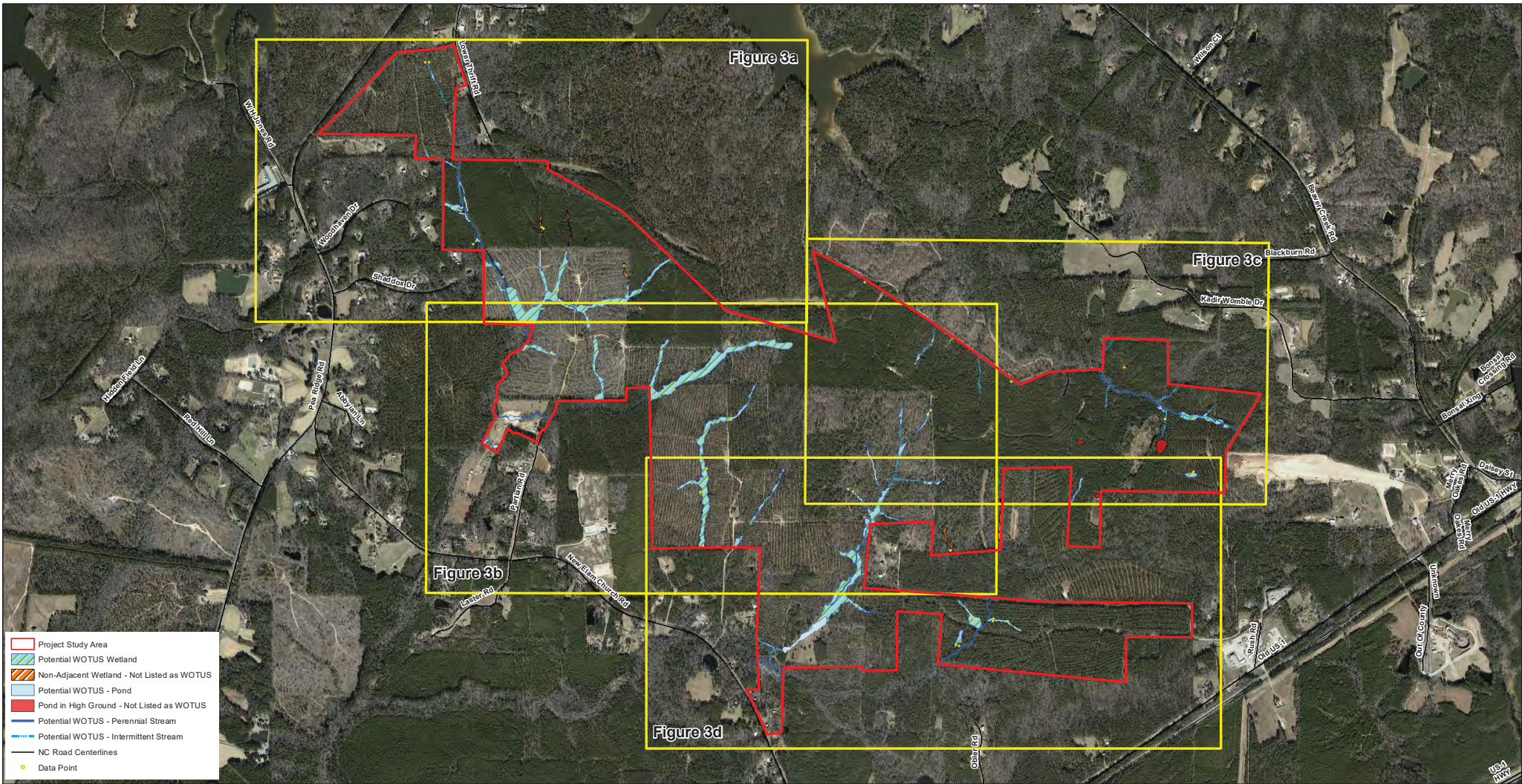
**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**



Signature and date of Regulatory staff member completing PJD  
06/04/2021

Signature and date of person requesting PJD (REQUIRED, unless obtaining the signature is impracticable)<sup>1</sup>

<sup>1</sup> Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



# MAP FIGURE INDEX

## Stream and Wetland Sketch Map

### The Conservancy Subdivision - Sage Project # 2020.041

Map updated on March 15, 2021



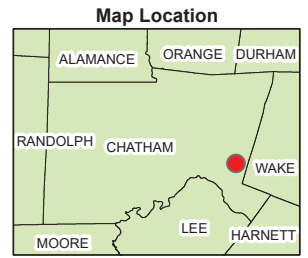
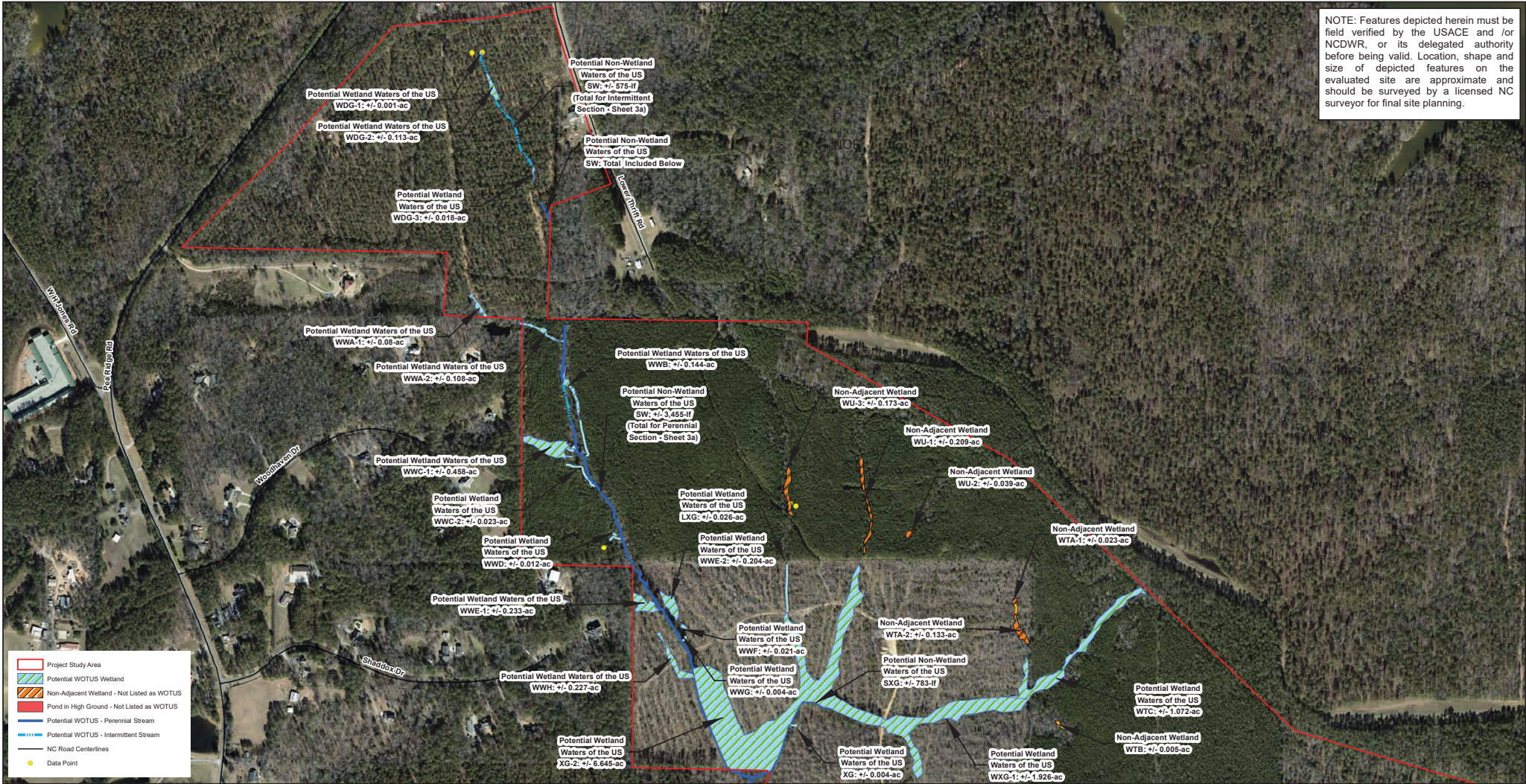
Figure 3



Sage Ecological Services, Inc.  
Office: 919-335-6757  
Cell: 919-559-1537



NOTE: Features depicted herein must be field verified by the USACE and/or NCDWR, or its delegated authority before being valid. Location, shape and size of depicted features on the evaluated site are approximate and should be surveyed by a licensed NC surveyor for final site planning.



# Wetland Sketch Map - Jurisdictional Determination

## Chatham County Assemblage - Sage Project # 2020.041

Map Prepared by: Philip Beach on December 16, 2020

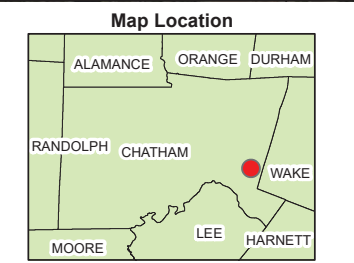
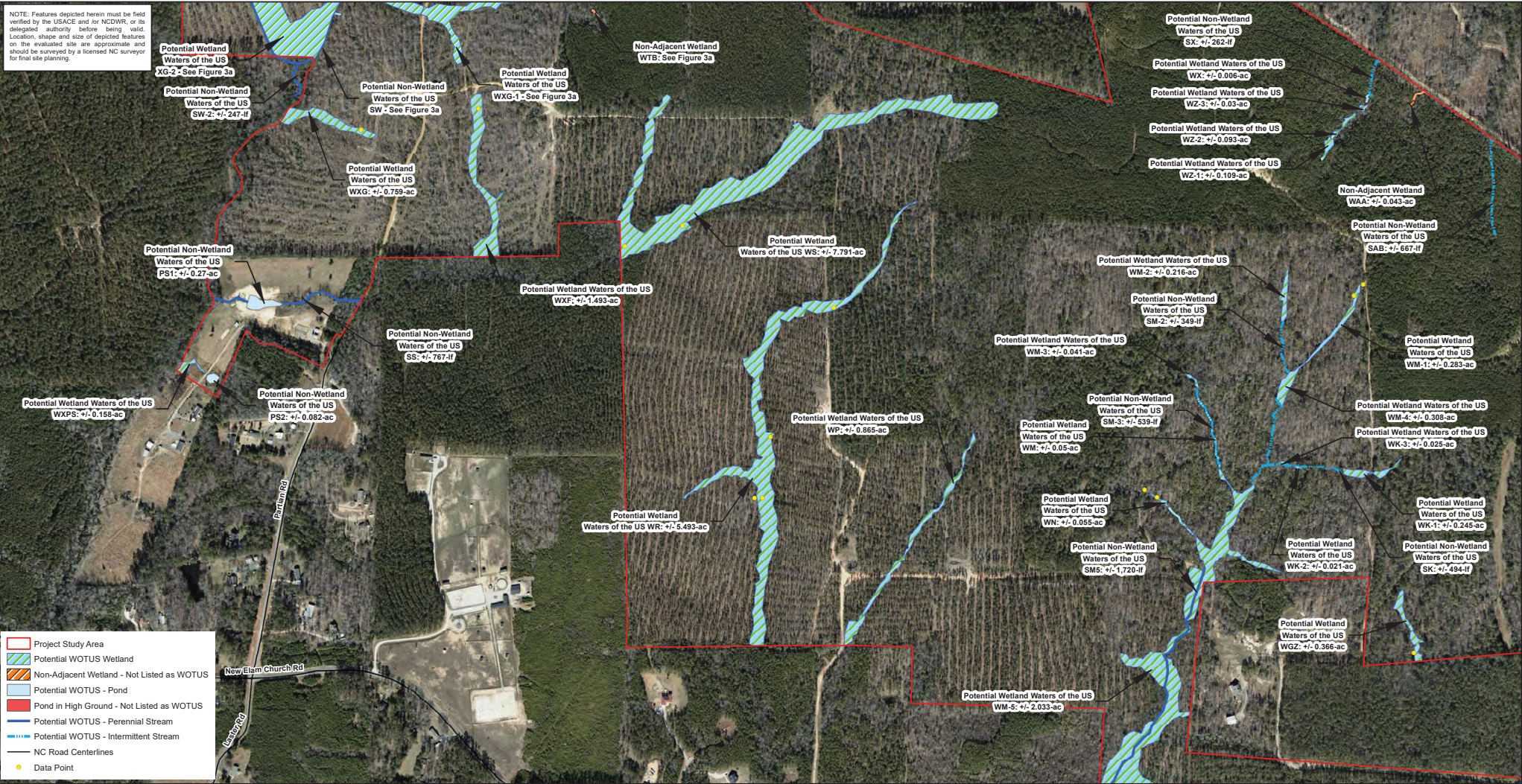


Figure 3a



Sage Ecological Services, Inc.  
Office: 919-335-6757  
Cell: 919-559-1537

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## Stream and Wetland Sketch Map

### Chatham County Assemblage - Sage Project # 2020.041

Map Prepared by: Philip Beach on December 16, 2020

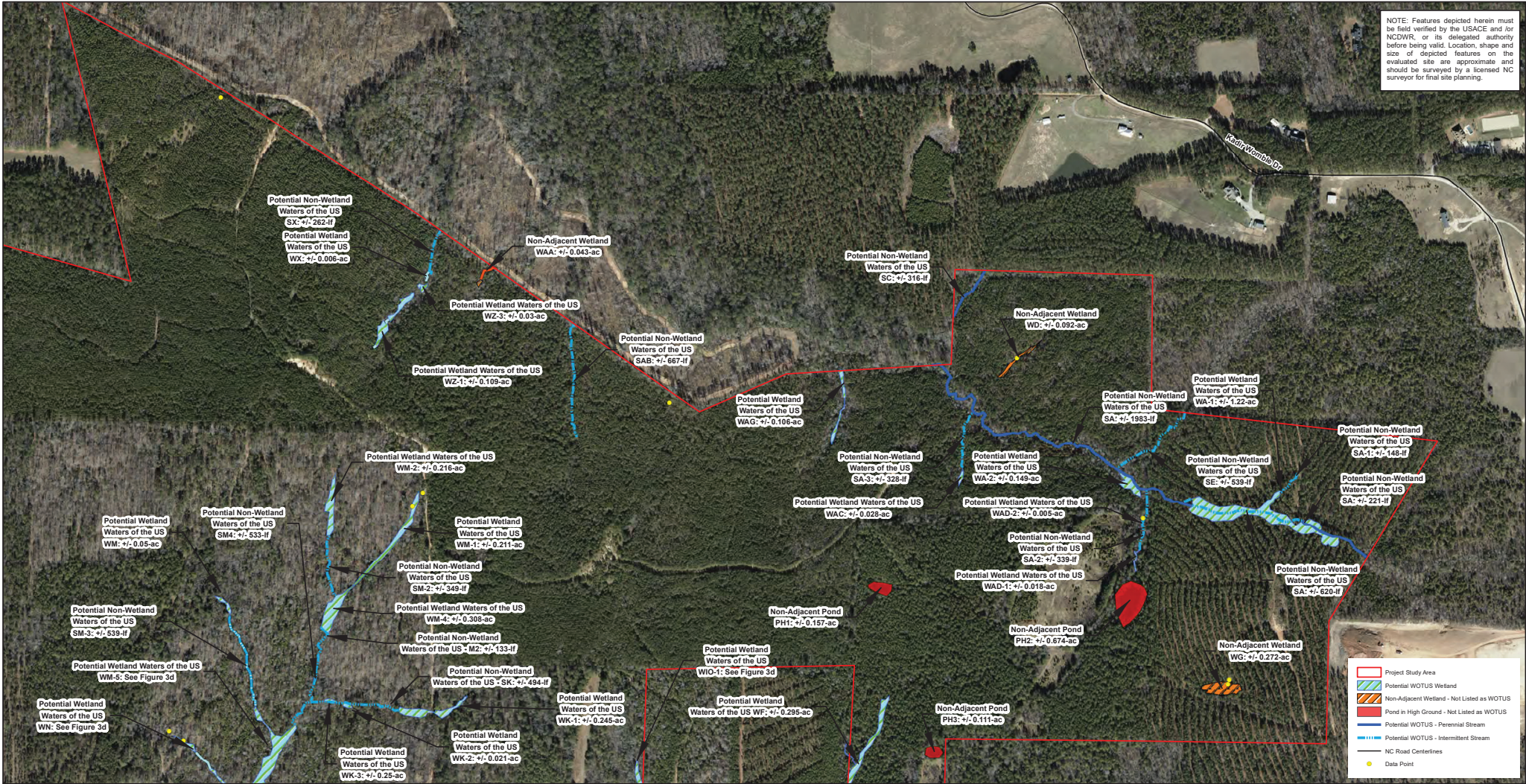


Figure 3b

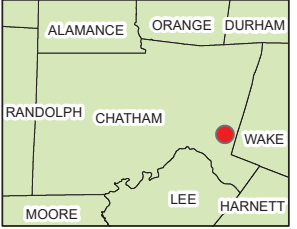


Sage Ecological Services, Inc.  
Office: 919-335-6757  
Cell: 919-559-1537

NOTE: Features depicted herein must be field verified by the USACE and/or NCDWR, or its delegated authority before being valid. Location, shape and size of depicted features on the evaluated site are approximate and should be surveyed by a licensed NC surveyor for final site planning.



Map Location



# Stream and Wetland Sketch Map

## Chatham County Assemblage - Sage Project # 2020.041

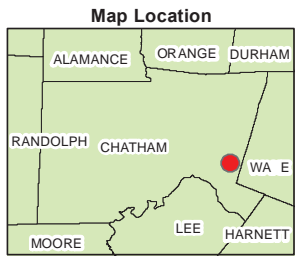
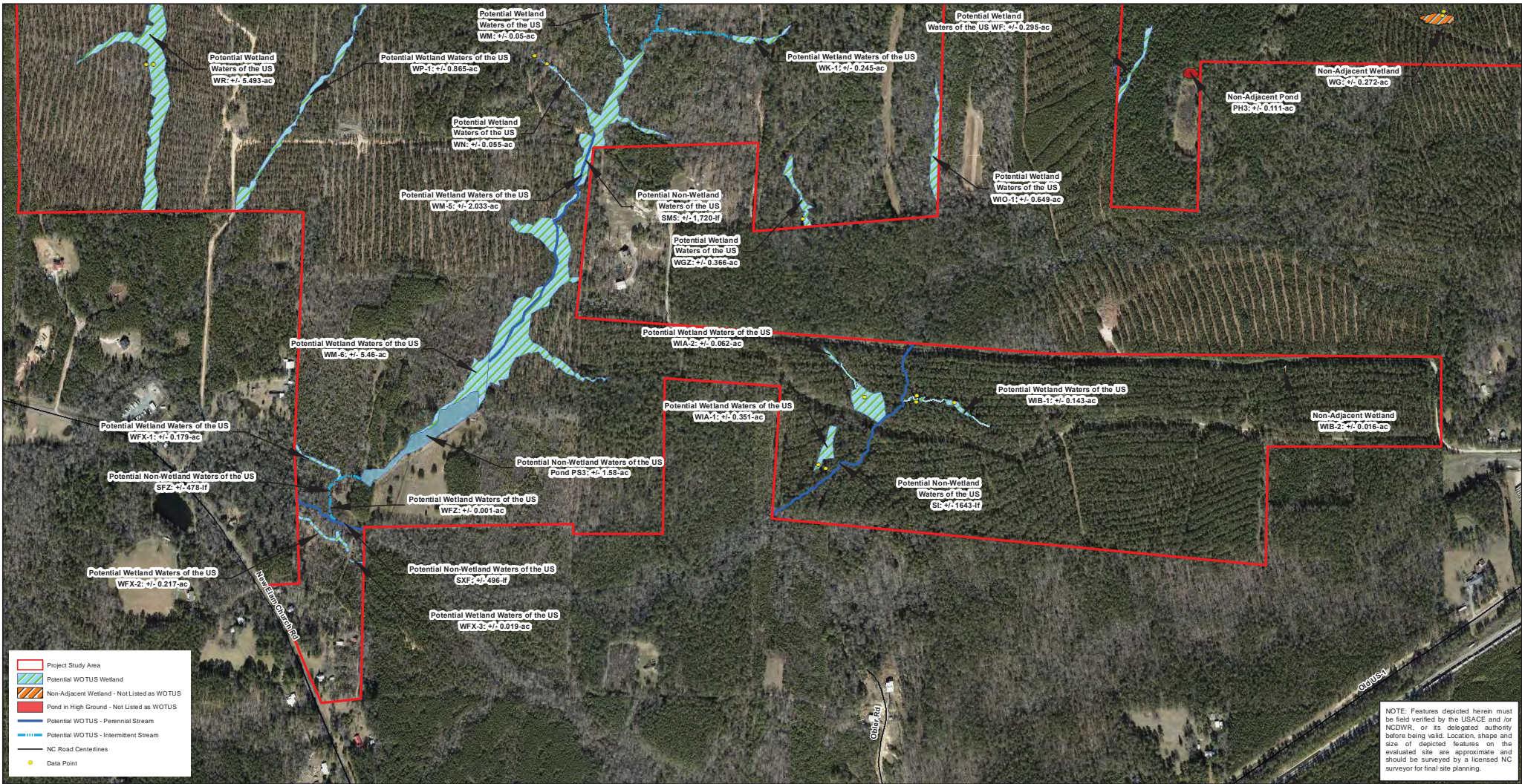
Map Prepared by: Philip Beach on December 16, 2020



Figure 3c



Sage Ecological Services, Inc.  
Office: 919-335-6757  
Cell: 919-559-1537



# Stream and Wetland Sketch Map

## The Conservancy Subdivision - Sage Project # 2020.041

Map updated on March 15, 2021



Figure 3d



Sage Ecological Services, Inc.  
 Office: 919-335-6757  
 Cell: 919-559-1537