

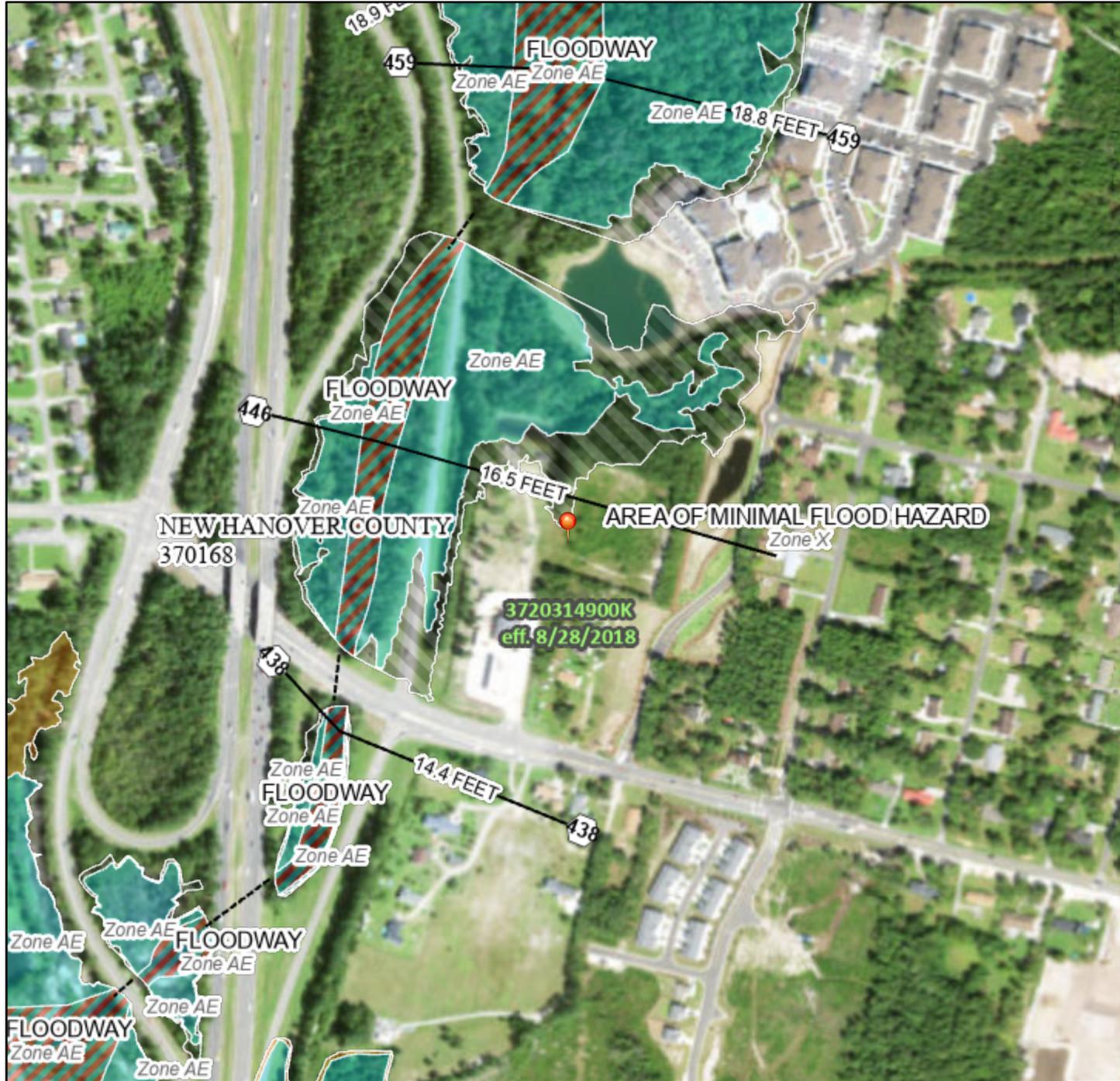
**ESTRELLA LANDING APARTMENTS
EARLY NOTICE FLOODPLAIN AND WETLANDS MAPS**

- **FEMA FIRMette**
- **National Wetlands Inventory Map**
- **Site Plans showing impacts**
- **USACE Jurisdictional Determination**

National Flood Hazard Layer FIRMette



77°52'13"W 34°16'56"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D

OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall

OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature

MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped

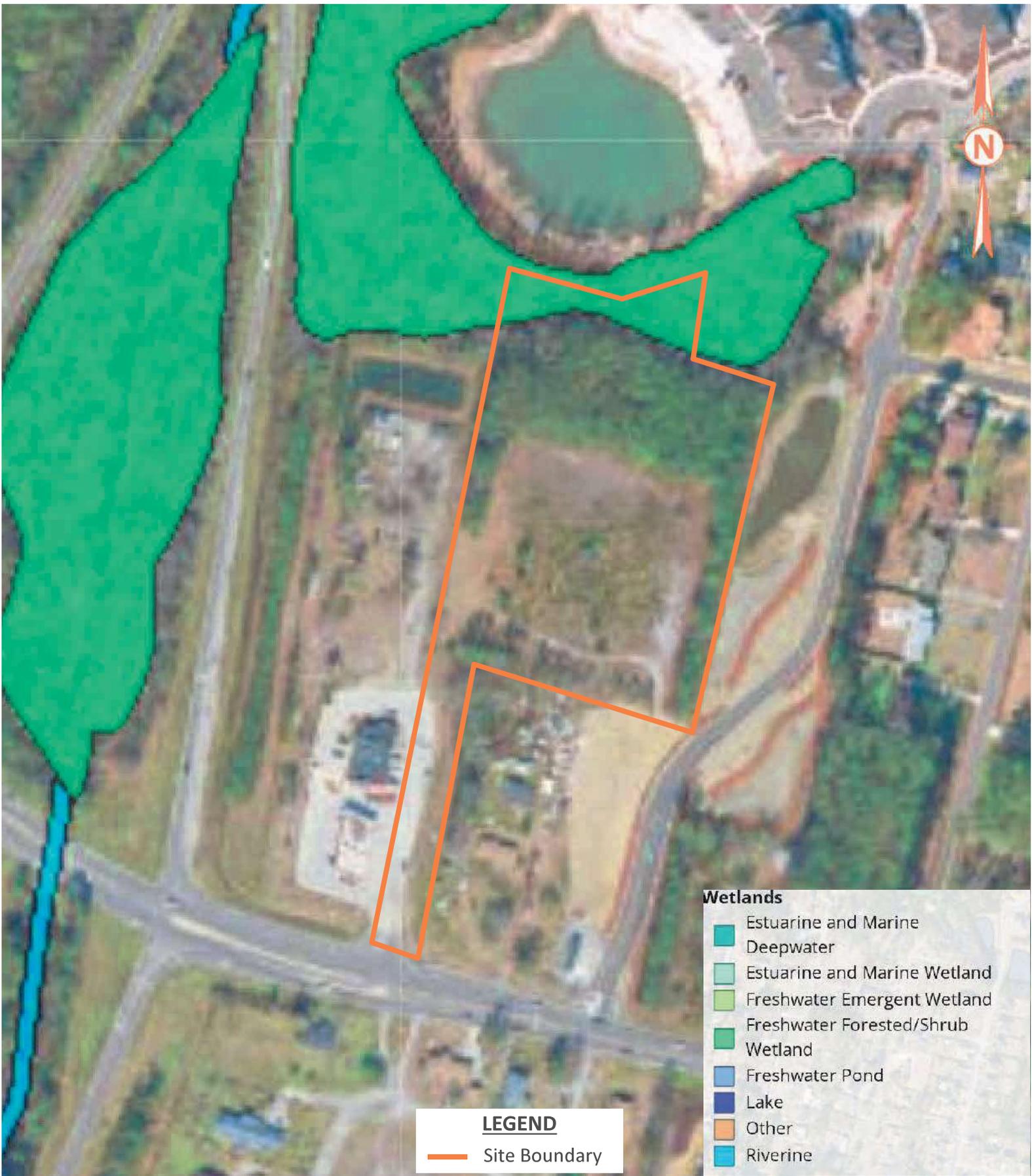


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/18/2022 at 3:46 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



Drawing 10
 USFWS – National
 Wetland Inventory Map
 Not to Scale



National Wetland Inventory Map
 Estrella Landing
 Approximate 5.71-Acre Tract
 Wilmington, New Hanover County, NC
 Pilot Project 7249

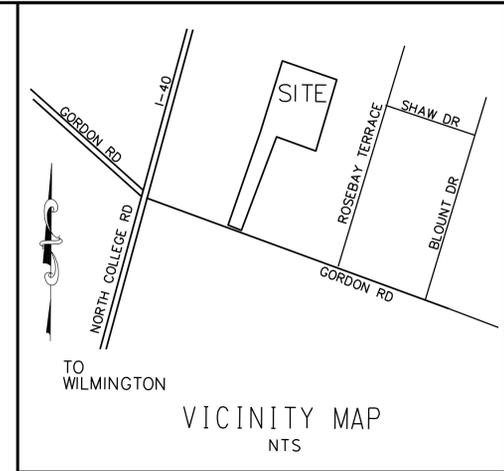
- NCHFA REQUIRED AMENITIES:**
- PLAYGROUND WITH BENCH SEAT
 - COVERED PICNIC AREA WITH 2 TABLES AND 2 GRILLS
 - BENCH SEATING IN 4 LOCATIONS
 - CLUBHOUSE WITH MULTIPURPOSE ROOM, COVERED PORCH WITH SEATING, AND RESIDENT COMPUTER CENTER

BUFFER NOTES:

REQUIRED TRANSITIONAL BUFFERTYPE A OPAQUE BUFFER
ADJACENT TO R-15 SINGLE FAMILY USE

BUFFER WIDTH REQUIRED20'

PLANT MATERIALS REQUIREDMINIMUM 3 ROWS OF PLANTING WHICH SHALL BE 6' HIGH AND PROVIDE 100% OPACITY WITHIN ONE YEAR.

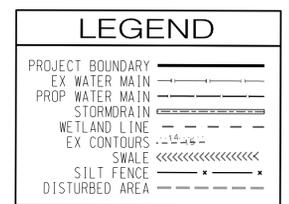


PROJECT DATA

PARCEL ID	R04300-001-007-000
DEED BOOK/PAGE	4797/397
ZONING	CZD RMF-M
CAMA LUC	URBAN MIXED USE
PROPERTY AREA	5.11 AC
TOTAL BUA	222,635 SF
	2.45 AC
	115,901 SF
% OF PROPERTY	52.1 %
BUILDING	37,557 SF
WALKWAYS	10,999 SF
PARKING/DRIVE AISLES	58,345 SF
RESERVE	9,000 SF
DISTURBANCE LIMITS	4.5 AC
RECEIVING STREAM	SMITH CREEK
CLASSIFICATION	C:Sw
STREAM INDEX	18-74-63
PROPOSED USE	APARTMENTS
TOTAL NUMBER OF UNITS	84
1 BEDROOM	13
2 BEDROOM	35
3 BEDROOM	36

DIMENSIONAL REQUIREMENTS PER CASE # Z21-03

MAXIMUM BLDG HEIGHT	45 FT
MINIMUM FRONT YARD	35 FT
MINIMUM REAR YARD	25 FT
MINIMUM SIDE YARD	20 FT



SHEET INDEX

COVER	1
LANDSCAPING	2
GRADING	3
EROSION CONTROL	4
UTILITY COVER	5
UTILITY PROFILE	6
DETAILS	7---

GORDON ROAD SR 2048 (PUBLIC R/W WIDTH VARIES)

GORDON 4601, LLC
D.B. 6392 PG. 619
PID: R04300-001-008-000
ZONE: B-1
USE: 58-GAS STATION

60' ACCESS EASEMENT
PER DEED BOOK 2643 PAGE 284 AND DEED BOOK 1215 PAGE 217

PROVIDE YELLOW PAINTED MEDIAN TO DELINEATE DRIVE AISLE FROM VEHICLE BACKING AREA

MOUNTABLE CONCRETE MEDIAN

PROVIDE "NO PARKING" SIGNAGE ALONG DRIVE AISLE

ROBERT EVANS JR
D.B. 5958 PG. 1628
PID: R04300-008-017-001
ZONE: R-15
USE: 11-MULTIPLE HOMES

GORDON ROAD INVESTMENTS LLC
D.B. 5565 PG. 2451
PID: R04300-001-010-000
ZONE: R-15
USE: 958-UNUSED

ANN S DOWNING
D.B. 6410 PG. 1659
M.B. 49 PG. 214
PID: R04300-001-009-000
ZONE: B-1
USE: 958-UNUSED

HAWTHORNE AT SMITH CREEK APARTMENTS, LLC
D.B. 6167 PG. 124
PID: R04300-001-004-000
ZONE: R-15
USE: 12-APARTMENT

- NOTES:**
- BOUNDARY BY OTHERS.
 - A PORTION OF THE SUBJECT PROPERTY IS LOCATED IN THE 100 YEAR FLOOD ZONE PER FEMA FLOOD ZONE PANEL 3720314900K.
 - 404 WETLANDS ARE FOUND ON THE SUBJECT PROPERTY, AS DELINEATED BY OTHERS.
 - WATER AND SEWER SERVICE PROVIDED BY CFPWA.
 - SOLID WASTE REMOVAL BY PRIVATE CONTRACTOR.
 - ALL RUNOFF FROM IMPERVIOUS SURFACES SHALL BE DIRECTED TO THE COLLECTION/TREATMENT SYSTEM.

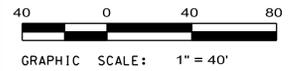
PARKING CALCULATIONS PER SECTION 81-1 FOR APARTMENTS:

1.5 SPACES PER 1 BEDROOM UNIT X 13 UNITS = 20 SPACES
2.0 SPACES PER 2 BEDROOM UNIT X 35 UNITS = 70 SPACES
2.0 SPACES PER 3 BEDROOM UNIT X 36 UNITS = 72 SPACES

162 SPACES REQUIRED
(162 PROVIDED, INCLUDING 21 VAN ACCESSIBLE SPACES)

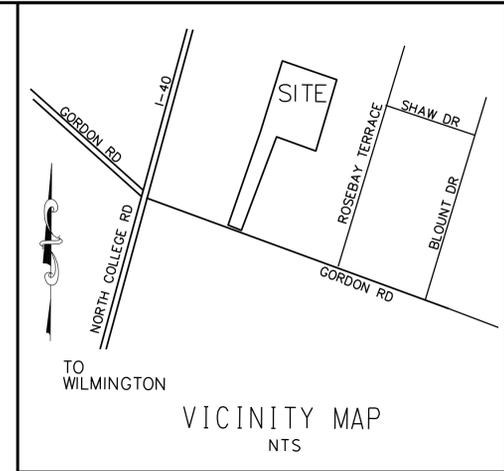
OPEN SPACE NOTES

OPEN SPACE REQUIRED: 1.02 ACRES (20%)
OPEN SPACE PROVIDED: 1.73 ACRES (34%)



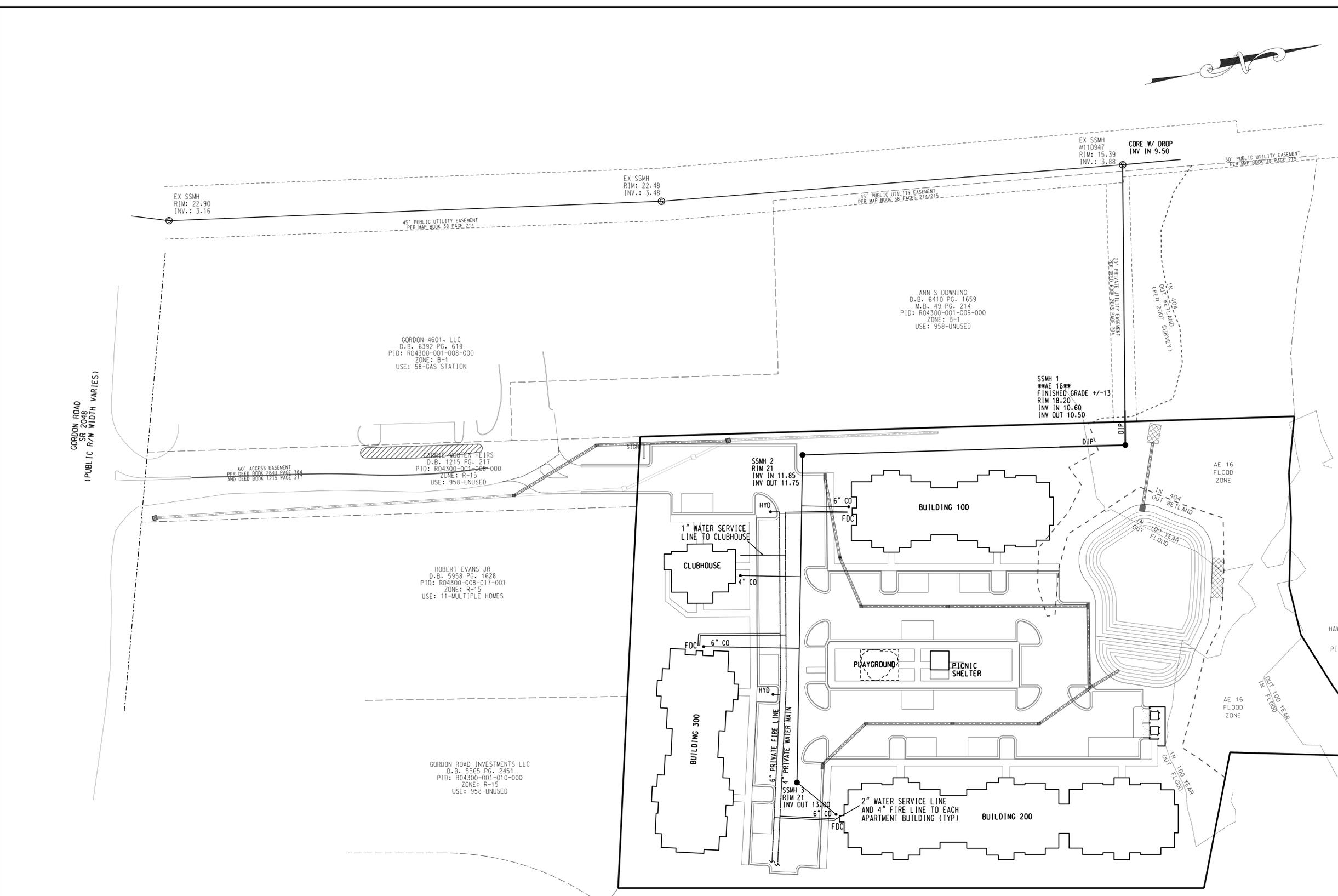
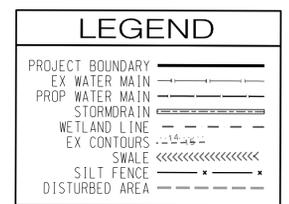
PRELIMINARY	COVER	DEVELOPER: ESTRELLA LANDING APARTMENTS, LLC	DRAWN: DLW
	ESTRELLA LANDING APARTMENTS	ADDRESS: PO BOX 15025 WILMINGTON, NC 28408	SCALE: 1" = 40'
	4615 GORDON ROAD WILMINGTON, NC 28405	PHONE: 910-791-3354	SHEET: 1 OF --

STROUD ENGINEERING, P.A.
102-D CINEMA DRIVE WILMINGTON, NORTH CAROLINA 28403
(910) 815-0775 (910) 815-0593 FAX

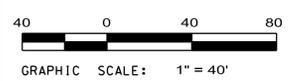


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PRELIMINARY	UTILITY COVER	DEVELOPER: ESTRELLA LANDING APARTMENTS, LLC	DRAWN: DLM
	ESTRELLA LANDING APARTMENTS	ADDRESS: PO BOX 15025 WILMINGTON, NC 28408	SCALE: 1" = 40'
	4615 GORDON ROAD WILMINGTON, NC 28405	PHONE: 910-791-3354	SHEET: 5 OF ..
		102-D CINEMA DRIVE WILMINGTON, NORTH CAROLINA 28403 (910) 815-0775 (910) 815-0593 FAX	

Electronically Transmitted
U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action Id. SAW-2021-01553 County: New Hanover U.S.G.S. Quad: NC-Scotts Hill

NOTIFICATION OF JURISDICTIONAL DETERMINATION

Requestor: Charles & Essie Clay Revocable Living Trust

Essie Clay, Trustee

Address: 4618 Gordon Road
Wilmington, NC 28411

E-mail: kbeatty09@att.net

Size (acres) 5.7

Nearest Town Wilmington

Nearest Waterway Smith Creek

River Basin Cape Fear

USGS HUC 03030007

Coordinates Latitude: 34.278377

Longitude: -77.864734

Location description: The project area is located at 4615 Gordon Road in Wilmington.

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 DATE. 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.
- 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 2/1/2021. We strongly

SAW-2021-01553

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/property 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 **Brad Shaver at 910-251-4611 or brad.e.shaver@usace.army.mil.**

C. Basis For Determination: Basis For Determination: See the approved jurisdictional determination form dated 07/29/2021.

D. Remarks: *This determination was made via desktop.*

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)

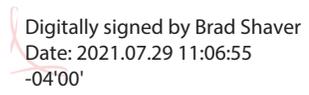
If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed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

US Army Corps of Engineers
South Atlantic Division
Attn: Mr. Philip A. Shannin
Administrative Appeal Review Officer
60 Forsyth Street SW, Floor M9
Atlanta, Georgia 30303-8803
AND
PHILIP.A.SHANNIN@USACE.ARMY.MIL

SAW-2021-01553

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 **09/27/2021**.

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

Corps Regulatory Official: _____  
Digitally signed by Brad Shaver
Date: 2021.07.29 11:06:55
-04'00'

Date of JD: **07/29/2021** Expiration Date of JD: **07/28/2026**

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 our Customer Satisfaction Survey, located online at <https://regulatory.ops.usace.army.mil/customer-service-survey/>

Copy Furnished(electronic):

LMG Inc. attn: Lauren Orzechowski

LMG Inc. attn: Kim Williams

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

Applicant: **Charles & Essie Clay Revocable Living Trust, Essie Clay, Trustee**

File Number: **SAW-2021-01553**

Date: **07/29/2021**

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 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 or <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: Brad Shaver
Wilmington Regulatory Office
U.S Army Corps of Engineers
69 Darlington Avenue
Wilmington, North Carolina 28403**

If you only have questions regarding the appeal process you may also contact:

**MR. PHILIP A. SHANNIN
ADMINISTRATIVE APPEAL REVIEW OFFICER
CESAD-PDS-O
60 FORSYTH STREET SOUTHWEST, FLOOR M9
ATLANTA, GEORGIA 30303-8803**

PHONE: (404) 562-5136; FAX (404) 562-5138
EMAIL: PHILIP.A.SHANNIN@USACE.ARMY.MIL

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.

_____	Date:	Telephone number:
Signature of appellant or agent.		

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: Brad Shaver, 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**

NOTE: This is not a survey. All boundaries and distances are considered approximate. This represents a preliminary sketch prepared from field notes. A survey of delineated areas and review and approval by the U.S. Army Corps of Engineers is recommended prior to specific site planning.



Legend

-  Project Area ~5.7 Acres
-  Uplands ~5.0 Acres (88%)
-  Wetlands ~0.7 Acres (12%)
-  Jurisdictional Non-Stream ~549 Linear Feet
-  DataPoints

L:\WETLANDS\2021 WETLANDS FILES\LMG21.054 ---
4615 Gordon Road, Stephanie Norris\Maps
Boundaries are approximate and not meant to be absolute.
Map Source: 2020 NC OneMap



4615 Gordon Road
New Hanover County, NC

Map Date: February 2021
LMG21.054



Section 404/401 Delineation
Preliminary Sketch



**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): 7/29/2021

ORM Number: SAW-2021-01553

Associated JDs: N/A

Review Area Location¹: State/Territory: NC City: Wilmington County/Parish/Borough: New Hanover

Center Coordinates of Review Area: Latitude 34.278377 Longitude -77.864734

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
T1-T3	~549 linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Jurisdictional non-streams T1-T3 flow north toward wetland W1

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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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.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination	
W1	~0.7	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W1 abuts Jurisdictional Non-Streams T1-T3. W1 flows northwest to Smith Creek (offsite).
N/A.	N/A.	N/A.	N/A.	N/A.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
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: [USACE Data Package Submitted 7/19/21](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Select. Title\(s\) and/or date\(s\).](#)
- Corps site visit(s) conducted on: [Date\(s\).](#)
- 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: [NRCS New Hanover County WebSoil GIS Data](#)
- USFWS NWI maps: [Title\(s\) and/or date\(s\).](#)
- USGS topographic maps: [New Hanover County Mosaic](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	New Hanover County Topographic Map
USDA Sources	NRCS New Hanover County WebSoil GIS Data
NOAA Sources	N/A.
USACE Sources	QL2 Lidar utilized for comparison purposes, DESKTOP
State/Local/Tribal Sources	N/A.
Other Sources	NC Emergency Management 2014 QL2 LiDAR
Other Sources	2020 NC OneMap Aerial Photography

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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- B. Typical year assessment(s):** According to Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network, the project area was wetter than normal at the time of the field work.
- C. Additional comments to support AJD:** N/A