



DEPARTMENT OF THE ARMY
U. S. ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT
ATTN: REGULATORY BRANCH
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2930

December 27, 2023

Operations Division



Dear Applicant:

This is in response to your request, dated October 4, 2023, sent on behalf of ECA Solar, requesting an approved jurisdictional determination (AJD) and verification of the delineation of waters of the United States, including jurisdictional wetlands, on a 17.6-acre property south of Woodson School Road and west of Calvary Road in the Crisfield area of Somerset County, Maryland. Your project has been assigned the file name, NAB-2023-00377-M51 (Woodson School Road Property AJD).

The Corps reviewed your Wetland Report dated October 17, 2022, (revised October 4, 2023) prepared by Geo-Technology Associates and conducted a field inspection on June 21, 2023. Based on the review of the information submitted as part of the AJD request and the site inspection, the Corps has determined that the plans prepared by your office, entitled "Wetland Delineation Plan: Woodson School Road Property," dated October 17, 2022, and revised October 4, 2023 (Enclosure 1) accurately depicts waterbodies and wetlands within the area of review. The Corps determined that Waterbody A, it carries a relatively permanent flow of water to a traditionally navigable waterway, and that Wetlands 1 and 2 are directly adjacent to Waterbody A. The Corps also determined that Waterbody B and Wetlands 3 and 4 are isolated, non-navigable, and do not have a continuous surface connection to WOTUS. As a result, the Corps identified Waterbody A and Wetlands 1 and 2 as subject to Corps regulatory jurisdiction, and Waterbody B and Wetlands 3 and 4 as not subject to Corps regulatory jurisdiction, all pursuant to Section 404 of the Clean Water Act. (Enclosure 2) summarizes the jurisdictional status of all waters within the area of review.

This letter contains an approved JD for your subject site. This approved JD is valid for five (5) years from the date of this letter unless new information warrants revision of the determination before the expiration date, or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis. 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 fact sheet and Request for Appeal (RFA) form (Enclosure 3). If you request to appeal this determination you must submit a completed RFA form by mail to:



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 Notification of Appeal Process. Should you decide to submit an RFA form, it must be received at the above address by February 25, 2024. It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

Please be advised that various development activities, within waters of the United States, including jurisdictional wetlands may be regulated by the Corps. Wetlands and other waters under the jurisdiction of the Maryland Department of the Environment (MDE) may also be located on the parcel. You may contact the MDE at (410) 537-3768 for information regarding jurisdiction and permitting requirements.

You are reminded that any grading or filling of waters of the United States, including jurisdictional wetlands, is subject to Department of the Army authorization. State and local authorizations may also be required to conduct activities in these locations. In addition, the Interstate Land Sales Full Disclosure Act may require that prospective buyers be made aware, by the seller, of the federal authority over any waters of the United States, including wetlands, being purchased.

In future correspondence and permit applications regarding this parcel, please include the file number located in the first paragraph of this letter.

A copy of this letter is being furnished to [REDACTED] (MDE Non-Tidal Wetlands Division) for informational purposes.

If you have any questions concerning this matter, please contact me at [REDACTED] or via email at [REDACTED].

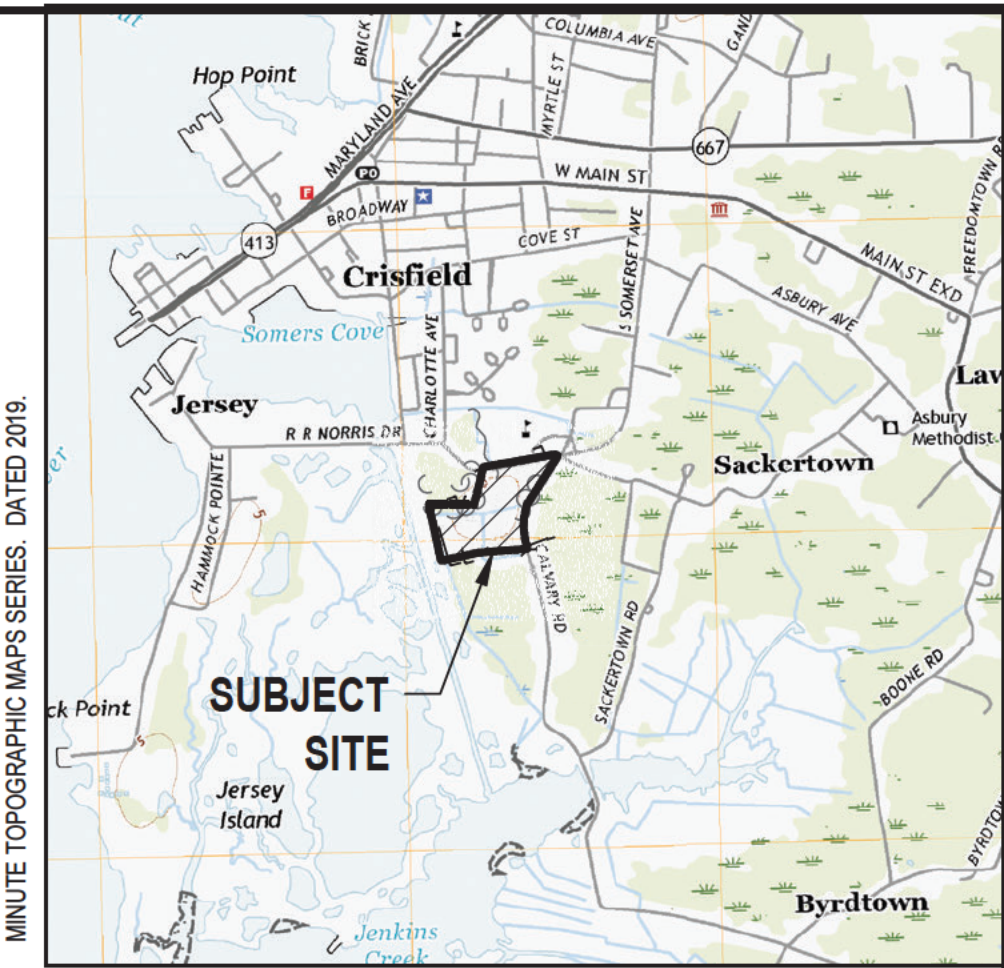
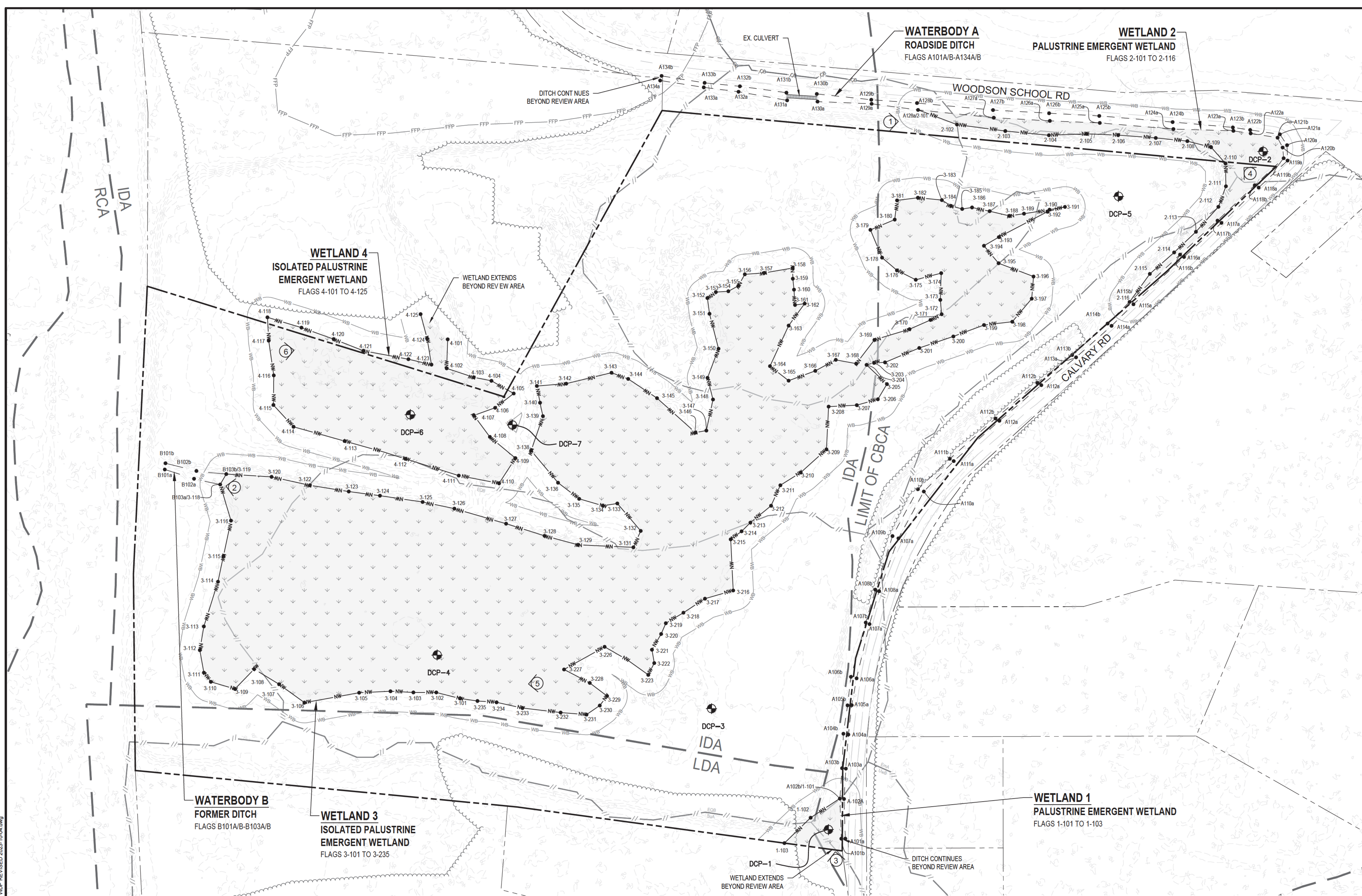
Sincerely,

[REDACTED]

Enclosures

To identify how we can better serve you, we need your help. Please take the time to fill out our new customer service survey at:

<https://regulatory.ops.usace.army.mil/customer-service-survey/>



VICINITY MAP
SCALE: 1" = 2,000'

GENERAL NOTES

- PLAN PREPARED FOR: [REDACTED]
- PLAN PREPARED BY: [REDACTED]
- SITE LOCATION: THE SUBJECT SITE ENCOMPASSES APPROXIMATELY 17.6 ACRES AND IS LOCATED SOUTH OF WOODSON SCHOOL ROAD AND WEST OF CALVARY ROAD IN THE CRISFIELD AREA OF SOMERSET COUNTY, MARYLAND.
- TOPOGRAPHIC INFORMATION, EXISTING BUILDINGS, AND ROADWAYS SHOWN HEREON WERE PROVIDED BY ECA SOLAR.
- THE LIMITS OF 100-YEAR FLOODPLAIN SHOWN HEREON ARE PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE MAP (FIRM) NUMBER 24039C0426F, BOTH EFFECTIVE FEBRUARY 4, 2015.
- THE SUBJECT SITE GENERALLY DRAINS TO AN UNNAMED TRIBUTARY OF THE TANGIER SOUND. IN THE VICINITY OF THE SUBJECT SITE, NON-TIDAL TRIBUTARIES OF TANGIER SOUND ARE CLASSIFIED IN THE CODE OF MARYLAND REGULATIONS (COMAR) 26.08.02.02 AS DESIGNATED USE "CLASS I: WATER CONTACT RECREATION, AND PROTECTION OF NON-TIDAL WARMWATER AQUATIC LIFE". IN THE VICINITY OF THE SUBJECT SITE, THE TANGIER SOUND IS CLASSIFIED IN THE CODE OF MARYLAND REGULATIONS (COMAR) 26.08.02.02 AS DESIGNATED USE "CLASS II: SUPPORT OF ESTUARINE AND MARINE AQUATIC LIFE AND SHELLFISH HARVESTING."
- THE SUBJECT SITE IS NOT LOCATED WITHIN A TIER II CATCHMENT AREA AS DEFINED IN COMAR 26.08.02.08-1.
- THE WESTERN AND SOUTHERN PORTIONS OF THE SUBJECT SITE ARE LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA). THE NORTHERN AND WESTERN PORTIONS OF THE SUBJECT SITE ARE WITHIN AN INTENSELY DEVELOPED AREA (IDA), THE SOUTHERN PORTION IS LOCATED WITHIN A LIMITED DEVELOPMENT AREA (LDA), AND THE EASTERN PORTION IS OUTSIDE THE BOUNDARY OF THE CBCA.
- A WETLAND DELINEATION OF THE SUBJECT SITE WAS PERFORMED BY GTA IN APRIL 2022. WETLAND FLAG LOCATIONS WITHIN THE SUBJECT SITE WERE SURVEY LOCATED BY BECKETT MORGAN GROUP, INC. IN SEPTEMBER 2022.
- CRITICAL AREA BUFFERS SHOWN HEREON WERE EXPANDED TO INCLUDE CONTIGUOUS SENSITIVE AREAS (HYDRIC SOIL UNITS) PER TOWN OF CRISFIELD, MARYLAND CODE PART III ARTICLE V § 96-27 CRITICAL OVERLAY DISTRICT.
- AS A RESULT OF THE REVIEW OF THE SUBJECT SITE, IT IS GTA'S PROFESSIONAL OPINION THAT THERE ARE JURISDICTIONAL WATERS OF THE U.S., INCLUDING WETLANDS, PRESENT WITHIN THE SUBJECT SITE.
- GTA'S CONCLUSIONS REGARDING THIS SITE HAVE BEEN BASED ON OBSERVATIONS OF EXISTING CONDITIONS, PROFESSIONAL EXPERIENCE, AND GENERALLY ACCEPTED PROFESSIONAL ENVIRONMENTAL PRACTICE UNDER SIMILAR CIRCUMSTANCES. SEASONAL VEGETATION CYCLES AND FLUCTUATIONS IN PRECIPITATION OR WEATHER CONDITIONS CAN RESULT IN DIFFERENCES IN THE PERCEPTION OF HYDROLOGIC CONDITIONS AND THE PRESENCE OF PREDOMINANTLY HYDROPHYTIC VEGETATION, WHICH CAN ALTER GTA'S EVALUATION OF WETLANDS/WATERWAYS.
- IT IS IMPORTANT TO NOTE THAT THIS EVALUATION IS GTA'S PROFESSIONAL OPINION ONLY. DECISIONS REGARDING THE OFFICIAL JURISDICTIONAL STATUS OF WETLANDS/WATERWAYS ARE MADE BY FEDERAL, STATE, AND/OR LOCAL REGULATORY AGENCIES.
- THIS PLAN WAS PREPARED BY GTA FOR THE SOLE AND EXCLUSIVE USE OF ECA SOLAR. ANY REPRODUCTION OF THIS PLAN BY ANY OTHER PERSON WITHOUT THE EXPRESSED WRITTEN PERMISSION OF GTA AND ECA SOLAR GROUP IS UNAUTHORIZED, AND SUCH USE IS AT THE SOLE RISK OF THE USER.

LEGEND

- SUBJECT SITE
- EX. PROPERTY BOUNDARY
- EX. 1-FOOT CONTOUR
- EX. CHESAPEAKE BAY CRITICAL AREA BOUNDARY
- EX. SOIL BOUNDARY
- EX. 2-FOOT CONTOUR
- EX. FORESTED AREAS
- EXISTING CULVERT
- EX. CRITICAL AREA BUFFER
- EX. FEMA 100-YEAR FLOODPLAIN
- EX. 25' WETLAND BUFFER
- EX. ROADSIDE DITCH
- EX. DRAINAGE DITCH
- EX. NONTIDAL WETLAND
- WETLAND DELINEATION DATA COLLECTION POINT (DCP)
- NUMBERED PHOTOGRAPH LOCATION

APPROXIMATE AREA OF WETLANDS/ WATERWAYS

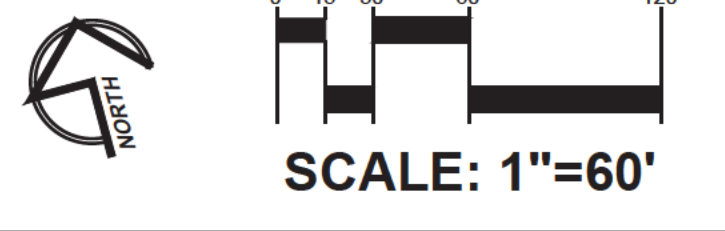
WETLAND	APPROXIMATE AREA
WETLAND 1	2,484 SF (0.06 AC)
WETLAND 2	11,375 SF (0.26 AC)
WETLAND 3	222,145 SF (5.10 AC)
WETLAND 4	35,722 SF (0.82 AC)
TOTAL WETLAND AREA	271,726 SF (6.24 AC)

WATERBODY	APPROXIMATE AREA	APPROXIMATE LENGTH
WATERBODY A	11,953 SF (0.27 AC)	1,857 LINEAR FEET
WATERBODY B	789 SF (0.02 AC)	76 LINEAR FEET
TOTAL WATERBODY AREA	12,742 SF (0.29 AC)	1,933 LINEAR FEET

SOILS CHART

SYMBOL	NAME/DESCRIPTION	HYDRIC SOIL	HYDRIC COMPONENT	PERCENTAGE OF MAPPING UNIT	POSITION IN LANDSCAPE
EmA	ELKTON SILT LOAM, 0 TO 2 PERCENT SLOPES	YES	ELKTON, UNDRY NED	40	FLATS
			ELKTON, DRAINED	35	FLATS
			KENTUCK, UNDRY NED	5	DEPRESSIONS
EQB	ENDOAQUEPTS AND SULFAQUEPTS, 0 TO 5 PERCENT SLOPES	YES	ENDOAQUEPTS, DRA NED	50	TIDAL MARSHES
			SULFAQUEPTS	40	TIDAL MARSHES
Ho	HONGA PEAT, VERY FREQUENTLY FLOODED, T DAL	YES	HONGA	80	TIDAL MARSHES
			SUNKEN	10	FLATS, SUBMERGED UPLAND TIDAL MARSHES
			MISPILLION	5	TIDAL MARSHES
			TRANSQUAKING	5	TIDAL MARSHES
SuA	SUNKEN MUCKY S LT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODED, TIDAL	YES	SUNKEN	80	FLATS, SUBMERGED UPLAND TIDAL MARSHES
			OTHELLO, UNDRY NED	10	FLATS
			HONGA	5	SUBMERGED UPLAND TIDAL MARSHES
UwB	URBAN LAND-UDORTMENTS COMPLEX, 0 TO 5 PERCENT SLOPES	NO			

1. UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE, SOMERSET COUNTY MARYLAND, SOIL SURVEY DATA VERSION 18, DATED AUGUST 27, 2021.
2. HYDRIC SOILS INFORMATION AVAILABLE FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCE CONSERVATION SERVICE SOIL DATA ACCESS HYDRIC SOILS LIST, ACCESSED JUNE 21, 2022.



**WETLAND DELINEATION PLAN
WOODSON SCHOOL
ROAD PROPERTY**

SOMERSET COUNTY, MARYLAND

DATE	REVISIONS	JOB NO.
10/04/2023	REVISED PER SACKETT RULING	31220636

SCALE:	1"=60'
DATE:	OCTOBER 17, 2022
DRAWN BY:	JSR
DESIGN BY:	
REVIEW BY:	MAJ/TAS
SHEET:	1 OF 1