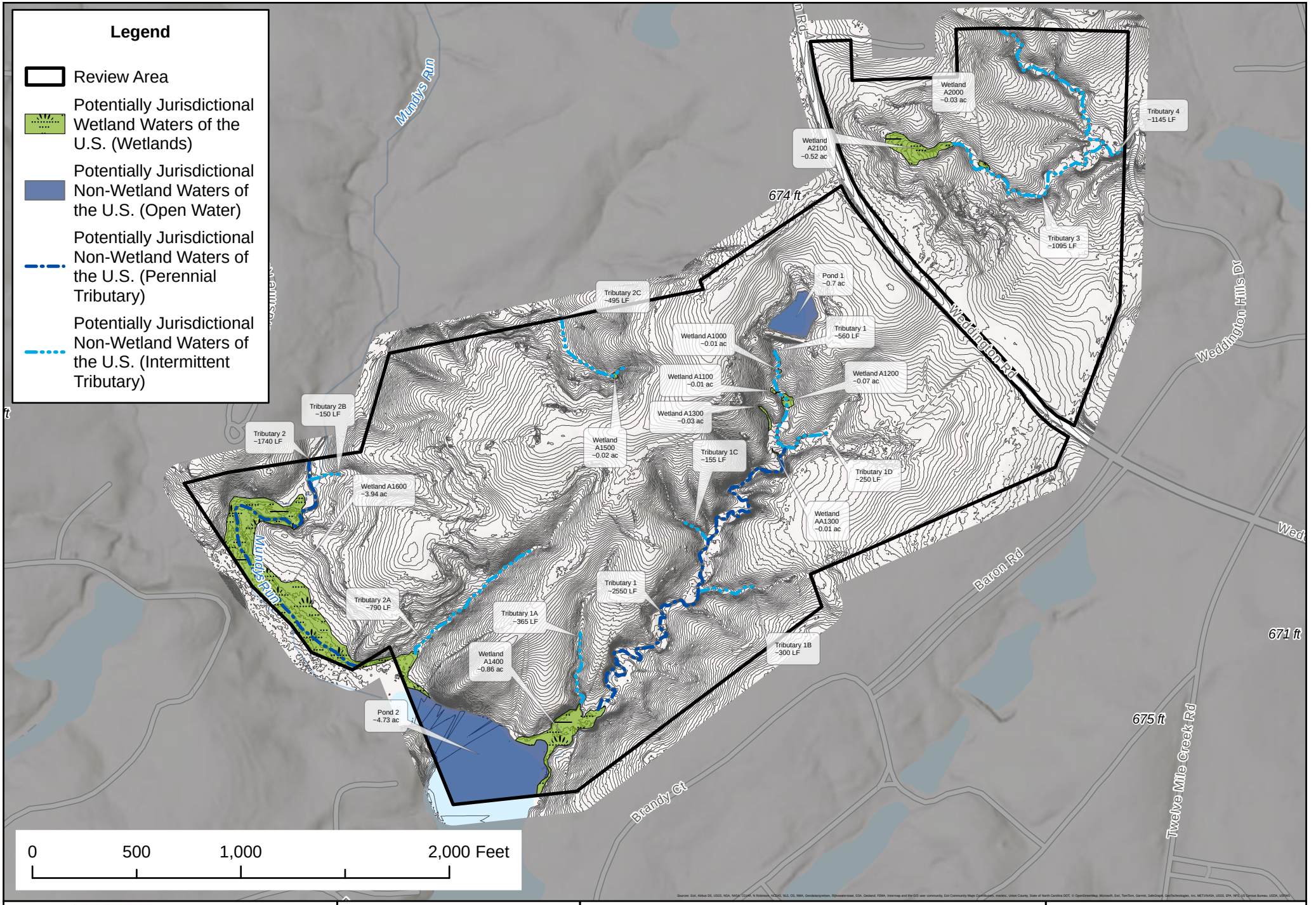

Wetlands & Waters, Inc.	Project Name:	Deal Lake Development		N W E S
	Owner / Developer:	Toll Brothers		
	City / County:	Weddington/Union		
Figure 1: Approximate Delineation of Surface Waters and Wetlands	Tax PIN(s):	06129109, 06126001, 06126017, 06126017C, 06126017B		
	Coordinates:	Lat: 35.003186	Long: -80.740517	Date: 11-05-2024

NC DWQ Stream Identification Form Version 4.11

SF1

Date: 2024-11-05	**Project/Site**: Deal Lake	**Latitude:** 35.0031004
Evaluator: DL PI	**County:** Union	**Longitude:** -80.73942405
Total Points: 15 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	**Stream Determination (circle one)** (Ephemeral) Intermittent Perennial	**Other** *e.g. Quad Name*:

A. Geomorphology (Subtotal= 8)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	1	(2)	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	(0)	1	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	0	(0.5)	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 4)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	0	(0.5)	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	2	(1)	0
19. Rooted upland plants in streambed	3	(2)	1	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 (Other = 0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

NC DWQ Stream Identification Form Version 4.11

SF2

Date: 2024-11-05	**Project/Site**: Deal Lake	**Latitude:** 35.00043858
Evaluator: DL PI	**County:** Union	**Longitude:** -80.74331405
Total Points: 14 *Stream is at least intermittent if ≥ 19 or perennial if ≥ 30**	**Stream Determination (circle one)** (Ephemeral) Intermittent Perennial	**Other** *e.g. Quad Name*:

A. Geomorphology (Subtotal= 7.5)	Absent	Weak	Moderate	Strong
1[a]. Continuity of channel bed and bank	0	(1)	2	3
2. Sinuosity of channel along thalweg	0	(1)	2	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	(1)	2	3
4. Particle size of stream substrate	0	(1)	2	3
5. Active/relict floodplain	0	(1)	2	3
6. Depositional bars or benches	0	(1)	2	3
7. Recent alluvial deposits	(0)	1	2	3
8. Headcuts	0	(1)	2	3
9. Grade control	(0)	0.5	1	1.5
10. Natural valley	0	(0.5)	1	1.5
11. Second or greater order channel	(No = 0)		Yes = 3	

[a] artificial ditches are not rated; see discussions in manual

B. Hydrology (Subtotal = 3.5)				
12. Presence of Baseflow	(0)	1	2	3
13. Iron oxidizing bacteria	(0)	1	2	3
14. Leaf litter	1.5	1	(0.5)	0
15. Sediment on plants or debris	(0)	0.5	1	1.5
16. Organic debris lines or piles	(0)	0.5	1	1.5
17. Soil-based evidence of high water table?	No = 0		(Yes = 3)	

C. Biology (Subtotal = 3)				
18. Fibrous roots in streambed	3	(2)	1	0
19. Rooted upland plants in streambed	3	2	(1)	0
20. Macrobenthos (note diversity and abundance)	(0)	1	2	3
21. Aquatic Mollusks	(0)	1	2	3
22. Fish	(0)	0.5	1	1.5
23. Crayfish	(0)	0.5	1	1.5
24. Amphibians	(0)	0.5	1	1.5
25. Algae	(0)	0.5	1	1.5
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 (Other = 0)			

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: DATE

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Toll Brothers, Robert Price, 9130 Kings Parade Boulevard, Charlotte, NC 28273

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: Wilmington District, Deal Lake, **FILE NUMBER**

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION: 35.003186, -80.740517

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

State: NORTH CAROLINA County: UNION City: WEDDINGTON
Center coordinates of site (lat/long in degree decimal format): Latitude: 35.003186 Longitude: -80.740517

Universal Transverse Mercator:

Name of nearest waterbody: MUNDYS RUN

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

☐ Office (Desk) Determination. Date:
☐ Field Determination. Date(s):

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)
Tributary 1	35.00109666	-80.74142730	2550 LF	Non-wetland waters	Section 404
Tributary 1 (Intermittent)	35.00348043	-80.74014818	560 LF	Non-wetland waters	Section 404
Tributary 1A	34.99985250	-80.74331051	365 LF	Non-wetland waters	Section 404
Tributary 1B	35.00091427	-80.74098959	300 LF	Non-wetland waters	Section 404
Tributary 1C	35.00170824	-80.74147163	155 LF	Non-wetland waters	Section 404
Tributary 1D	35.00294732	-80.73980400	250 LF	Non-wetland waters	Section 404
Tributary 2	35.00094090	-80.74837775	1740 LF	Non-wetland waters	Section 404
Tributary 2A	35.00075785	-80.74507598	790 LF	Non-wetland waters	Section 404

Tributary 2B	35.00232819	-80.74747898	150 LF	Non-wetland waters	Section 404
Tributary 2C	35.00386054	-80.74333226	495 LF	Non-wetland waters	Section 404
Tributary 3	35.00648853	-80.73595660	1095 LF	Non-wetland waters	Section 404
Tributary 4	35.00762700	-80.73563047	1145 LF	Non-wetland waters	Section 404
Wetland A1000	35.00381713	-80.74020477	0.01 ac	Wetland	Section 404
Wetland A1100	35.00354778	-80.74029627	0.01 ac	Wetland	Section 404
Wetland A1200	35.00342276	-80.74007443	0.07 ac	Wetland	Section 404
Wetland A1300	35.00327878	-80.74043033	0.03 ac	Wetland	Section 404
Wetland AA1300	35.002735	-80.740246	0.01 ac	Wetland	Section 404
Wetland A1400	34.99898782	-80.74358061	0.86 ac	Wetland	Section 404
Wetland A1500	35.00371368	-80.74284901	0.02 ac	Wetland	Section 404
Wetland A1600	35.00090816	-80.74797045	3.94 ac	Wetland	Section 404
Wetland A2000	35.00657855	-80.73699165	0.03 ac	Wetland	Section 404
Wetland A2100	35.00678194	-80.73811916	0.52 ac	Wetland	Section 404
Pond 1	35.00453497	-80.73995187	0.7 ac	Non-Wetland	Section 404
Pond 2	34.99869269	-80.74491660	4.73 ac	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 should be included in subject file. Appropriately reference sources below where indicated for all checked items:

☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: Resource maps and delineation sketch submitted by W&W consultant

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

☐ 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: Figure 3, 05-03-2024

☒ Natural Resources Conservation Service Soil Survey. Citation: Figure 4, 05-03-2024

☒ National wetlands inventory map(s). Cite name: Figure 5, 05-03-2024

☐ State/local wetland inventory map(s):_____

☒ FEMA/FIRM maps: Figure 6, 05-03-2024

☐ 100-year Floodplain Elevation is:_____ (National Geodetic Vertical Datum of 1929)

☒ Photographs: ☒Aerial (Name & Date): County GIS, Figure 2, 05-03-2024

or ☒Other (Name & Date): Field Photos, 01-15-2024

☐ 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
DATE

Signature and date of person requesting PJD (REQUIRED, unless obtaining the signature is impracticable) [1]

[1] 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.