



determination of jurisdictional wetlands is based on their adjacency to a water of the United States and/or evidence indicating that their use, degradation, or destruction could affect interstate or foreign commerce. The presence of indicators of wetland hydrology, hydric soils, and hydrophytic plant communities are delineated in accordance with our 1987 Wetlands Delineation Manual to identify the jurisdictional limits of the wetlands. The wetlands identified in the delineation exhibited wetland hydrology, hydric soils, and hydrophytic plant communities associated with jurisdictional wetlands.

3. The streams and wetlands were examined. All of the streams exhibited a defined bed, bank, and ordinary high water mark. It was determined that wetlands A, B, and M (7.572 acres combined) are adjacent to a stream. The on-site inspection showed that wetlands C-L and N (2.019 acres combined) are isolated, depressions that are not adjacent to other jurisdictional waters. They are totally surrounded by uplands, with no streams flowing into or out of them. A review of the Stark County Soil Survey confirmed the conditions observed on-site. In addition to being hydrologically isolated from a surface tributary system, the wetlands do not appear to have any connection with interstate or foreign commerce.

4. There are 3 wetlands on the project site which are jurisdictional. They encompass 7.572 acres with two of the wetlands extending off the site. In addition, there is 155 linear feet of ephemeral and 154 linear feet of intermittent jurisdictional stream on the project site. Drainage from the western portion of the site is through an ephemeral stream and an intermittent stream. The intermittent stream flows off the property to the west. The stream is an unnamed tributary of the West Branch of Nimishillen Creek. The West Branch of Nimishillen Creek flows into Nimishillen Creek which in turn enters Sandy Creek. Sandy Creek is a tributary of the Tuscarawas River, a navigable river. During the on-site investigation, both of the streams on the site were examined. The streams exhibited a defined bed, bank and ordinary high water mark and are jurisdictional. In addition, wetlands A (0.059 acre) and B (0.670 acre) are adjacent to the streams and are therefore jurisdictional. Drainage from the eastern portion of the site flows south eventually entering the Middle Branch of Nimishillen Creek. The Stark County Soil survey shows a Sebring Soil unit in the southeastern portion of the site which extends off the site to the south and terminates at an intermittent stream. Wetland M is in the same general location of the Sebring Soil unit. Inspection of the site revealed that wetland M extends off the property to the south and drains into an unnamed tributary exhibiting a defined bed, bank, and ordinary high water mark. This stream flows south under Diamond Road where it connects to the unnamed tributary of the Middle Branch of Nimishillen Creek depicted on the Hartville Quadrangle. The Middle Branch of Nimishillen Creek is also a tributary of the Tuscarawas River. Wetland M (6.843 acres) is adjacent to the unnamed tributary of the Middle Branch of Nimishillen Creek and is therefore jurisdictional. Both streams and Wetlands A, B, and M are jurisdictional waters of the United States.