

JURISDICTIONAL WATERS REPORT

3 Nicholas Drive
Dayton, Rhea County, Tennessee
Asa Project No. 24-0063

PREPARED FOR:

Homes of America, LLC
10 Sterling Blvd.
Englewood, NJ 07631

PREPARED BY:



ENGINEERING & CONSULTING, INC.

201 Cherokee Blvd
Suite 101
Chattanooga, Tennessee 37405

PREPARATION DATE:

May 22, 2024



ENGINEERING & CONSULTING, INC.

May 22, 2024

Mr. Deondre Singleton
Homes of America, LLC
10 Sterling Blvd.
Englewood, NJ 07631

Reference: **Jurisdictional Waters Assessment Report**
3 Nicholas Drive
3 Nicholas Drive
Dayton, Rhea County, Tennessee
Asa Project No. 24-0063

Dear Mr. Singleton,

Asa Engineering & Consulting, Inc. (Asa) is pleased to provide this report summarizing the results of the referenced jurisdictional waters assessment. The work was conducted in general conformance with the scope of services outlined in Asa Proposal No. P04172024, dated April 17, 2024 and authorized by you on May 1, 2024. Asa appreciates the opportunity to provide services for this project. If you have any questions, please contact Ms. Smedley at 423-595-0501.

Sincerely,

ASA ENGINEERING & CONSULTING, INC.

A handwritten signature in blue ink, appearing to read 'Ryan Schroering', with a long horizontal flourish extending to the right.

Ryan Schroering
Staff Scientist

A handwritten signature in blue ink, appearing to read 'Kristy Smedley', written in a cursive style.

Kristy Smedley, QHP
Senior Scientist /Project Manager
TNQHP 1021-TN11

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1.0 Project Understanding

The subject property is a wooded undeveloped property located at 3 Nicholas Drive in Dayton, Rhea County, Tennessee. It is identified as Rhea County Parcel 072083_06901 and consists of approximately 4.28 acres. The figures presented in Appendix I outline the approximate boundaries of the subject property. To support planning for future development, Asa was requested to conduct a jurisdictional waters assessment.

2.0 Methodology

Jurisdictional waters of the U.S., including wetlands, are defined by 33 CFR Part 328.3, and are protected by Section 404 of the Clean Water Act (33 USC 1344), which is administered and enforced by the U.S. Army Corps of Engineers (USACE). The Tennessee Department of Environment and Conservation-Division of Water Resources (TDEC-DWR) has jurisdiction over waters of the state. The wetland assessment was performed using the Routine On-Site Determination Method as defined in the Corps of Engineers *1987 Wetlands Delineation Manual* and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region*.¹ This technique uses a multi-parameter approach, which requires positive evidence of three criteria: hydrophytic vegetation, hydric soils, and wetland hydrology. Drainage features were evaluated in accordance with the TDEC Guidance for Making Hydrologic Determinations, Version 1.5 by a Tennessee Qualified Hydrologic Professional (QHP). The procedures outlined in this guidance are intended to be applied to drainage features that could be considered either a wet-weather conveyance (WWC) or a stream. Areas exhibiting all three wetland characteristics, as well as surface waters, are considered jurisdictional.

Our assessment for the possible occurrence of jurisdictional waters, including wetlands, within the subject property consisted of using a combination of in-house research and field observations. In-house research included: 1) a review of the U.S. Geological Survey 7.5-minute topographic map of the Morgan Springs, Tennessee quadrangle; 2) review of the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) map for the project site location (reviewed online at <http://wetlandswfs.er.usgs.gov/>); 3) review of the Web Soil Survey for Rhea County, Tennessee published by the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service; and 4) review of a 2022 aerial photograph of the property (obtained from Google Earth®). Subsequent to the in-house review, jurisdictional waters of the U.S., including wetlands, were assessed in the field employing the methodologies referenced above.

3.0 Results of Jurisdictional Waters Assessment

Asa conducted site visits on May 8 and 22, 2024 to evaluate the soils, vegetation, and hydrologic indicators within the subject property. The results are summarized below, and the features identified correspond to the areas depicted on Figure 5 in Appendix I. According to the Community Collaborative Rain, Hail, and Snow Network (CoCoRaHS), the significant rainfall amounts, i.e., greater than 0.10 inch, recorded from the nearest data station (Station TN-BL-18) within seven days prior to each of the site visits included the following: .12 inch on May 1st, 0.14 inch on May 3rd, 0.64 inch on May 4th, 0.41 inch on May 5th, 0.81 inch on May 7th, 0.42 inch on May 15th, and 2.8 inches on May 19th. Our site visit conducted on May 22, 2024 was in an effort to observe presence of flow more than 48 hours after a significant rain event.

¹ Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. U.S. Army Corps of Engineers, Washington, D.C., 100 pp. plus appendices, and U.S. Army Corps of Engineers. 2012. *Final Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region*, ed. J. S. Wakeley, R. W. Lichvar, C. V. Noble, and J. F. Berkowitz. ERDC/EL TR-10-9. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

3.1 In-House Review

Asa reviewed the referenced topographic quadrangle map to examine the topography and drainage of the subject property and vicinity. According to the topographic map, the property slopes down to the southeast from topographic high points along the northwestern boundary. No streams are depicted within the subject property. Figure 2 in Appendix I includes an excerpt of the topographic map that includes the subject property.

The soil survey information reviewed depicts the property are being underlain by three different major soil mapping units, including: Apison-Sunlight-Salacoa complex (25 to 65 percent (%) slopes), Colbert and Lyerly soils (2 to 12% slopes), and Shady loam (0 to 3% slopes). Of these, the Colbert and Lyerly soils and the Shady loam are both characterized as soil mapping units that can contain hydric inclusions in Rhea County, Tennessee. Figure 3 in Appendix I includes an overview of the soil map that includes the subject property.

No surface water or wetland features were depicted on the NWI map. Figure 4 in Appendix I depicts the NWI map that includes the subject property and vicinity.

No surface water features were evident in the 2022 aerial photograph reviewed. The background image of Figure 5 is the 2022 Google Earth aerial photograph.

3.2 Field Observations

The assessment of the subject property was conducted on May 8 and 22, 2024. Based on our observations, the site is mostly wooded and undeveloped. A residential complex is located along the eastern property boundary. The results of our site observations are presented in the sections below. Table 1 in Section 4.0 summarizes our jurisdictional waters findings.

3.2.1 *Stream Assessment*

One drainage feature was identified during the assessment. We evaluated the feature in accordance with the referenced TDEC HD methodology, and the feature was determined to have a Secondary Indicator score of 20.5, meeting the definition of a TDEC Stream. This stream (S1) would be considered an unnamed tributary to Little Richland Creek. Stream 1 (S1) entered the property's northeast boundary and exited the property at the northeastern corner. The stream flowed approximately 493 feet across the northern portion of the property. In our opinion, S1 would be considered an intermittent stream by the USACE.

3.2.2 *Wetland Assessment*

Numerous locations within the property were evaluated for potential wetlands based on topography, observation of hydrophytic plants, and/or soil mapping. Upland conditions were documented on data form DP1, but no wetland conditions were observed or documented during the site visit. The data form is included in Appendix III.

4.0 Conclusions and Recommendations

Asa conducted a jurisdictional waters assessment within the approximately 4.28-acre property and identified one TDEC Stream/USACE Intermittent Stream. Table 1 below summarizes the findings.

TABLE 1 – SUMMARY OF JURISDICTIONAL WATERS				
ID	Determination	Begin	End	Length/Size
S1	TDEC Stream (HD Score 20.50) USACE Intermittent Stream	35.517019, -85.009173 (enter property)	35.516374, -85.008349 (exits at property)	493 feet

All wetland and stream determinations are preliminary until verified by the USACE and TDEC-DWR and should be used for planning purposes only until the verification is complete. As proposed, following your approval and return of the property owner authorization form included in the email of this report, Asa will submit this report to the USACE and TDEC-DWR to request concurrence of these findings.

Appendices

Appendix I –Figures



Parcel Overview Exhibit

3 Nicholas Drive
Dayton, Rhea County, Tennessee

SCALE:
As shown
DATE:
5/06/2024
PROJECT NUMBER
24-0063

FIGURE NO.

1



REFERENCE:
USGS Morgan Springs, Tennessee topographic quadrangle map (2022)



Topographic Map Exhibit

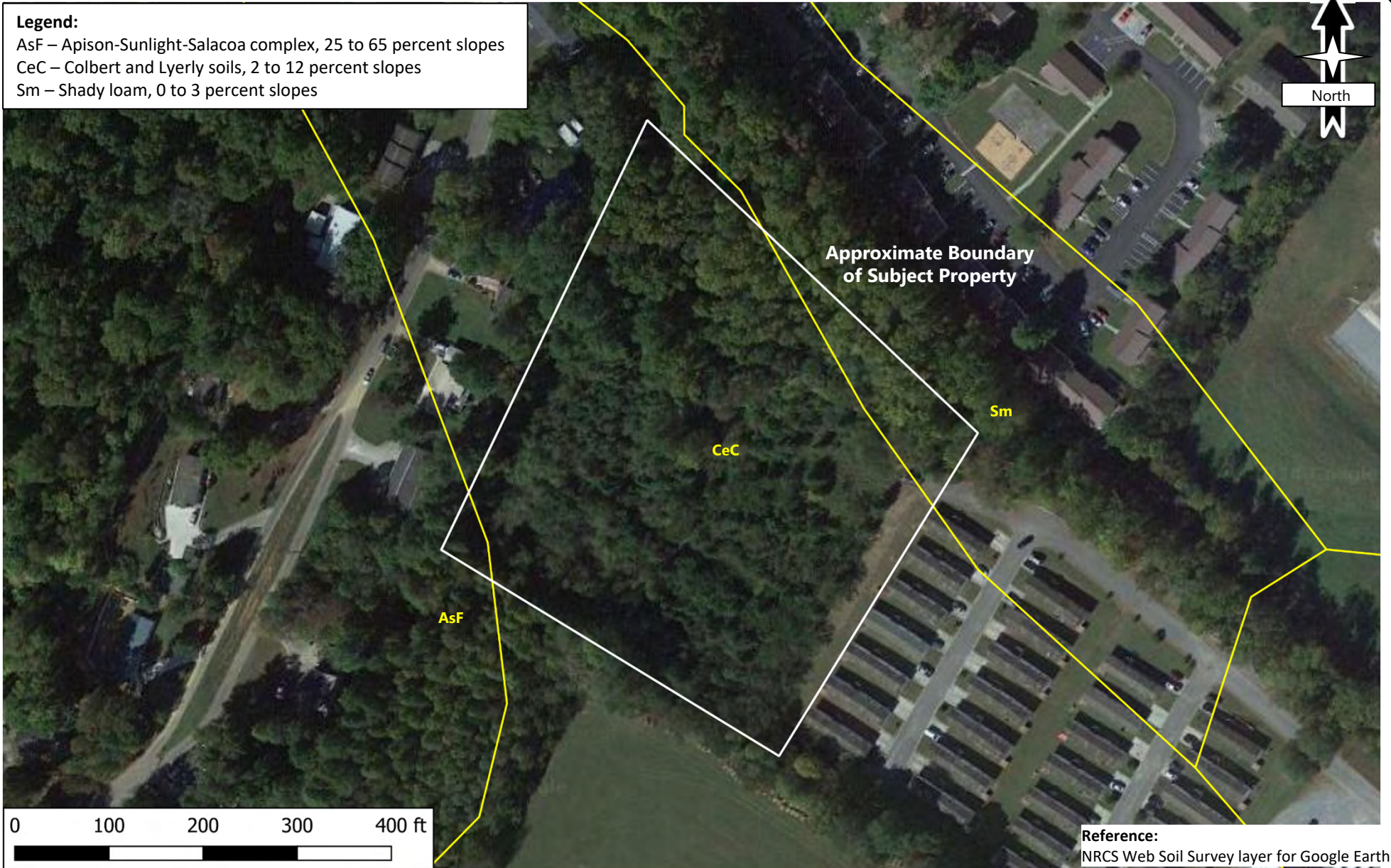
3 Nicholas Drive
Dayton, Rhea County, Tennessee

SCALE:
AS SHOWN
DATE:
5/06/2024
PROJECT NUMBER
24-0063

FIGURE NO.
2

Legend:

- AsF – Apison-Sunlight-Salacoa complex, 25 to 65 percent slopes
- CeC – Colbert and Lyerly soils, 2 to 12 percent slopes
- Sm – Shady loam, 0 to 3 percent slopes



Reference:
NRCS Web Soil Survey layer for Google Earth



Mapped Soils Exhibit

3 Nicholas Drive
Dayton, Rhea County, Tennessee

SCALE:
AS SHOWN

DATE:
5/06/2024

PROJECT NUMBER
24-0063

FIGURE NO.

3



National Wetlands Inventory surface waters and wetlands

LEGEND

- Wetlands**
- Estuarine and Marine Deepwater
 - Estuarine and Marine Wetland
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland
 - Freshwater Pond
 - Lake
 - Other
 - Riverine



Approximate Location of Project Site

1:2,257
35.517 | -85.013

REFERENCE: <https://www.fws.gov/wetlands/data/Mapper.html>



National Wetland Inventory Map Exhibit

3 Nicholas Drive
Dayton, Rhea County, Tennessee

SCALE: AS SHOWN
DATE: 5/06/2024
PROJECT NUMBER 24-0063

FIGURE NO.
4

LEGEND:
TDEC STREAM /USACE INTERMITTENT STREAM ———
DATA POINT (DP) ●



Overview of Findings

3 Nicholas Drive
Dayton, Rhea County, Tennessee

SCALE:
AS SHOWN
DATE:
5/10/2024
PROJECT NUMBER
24-0063

FIGURE NO.

5

Appendix II– Representative Photos

1	Location	Southern property boundary, facing southwest.
	Remarks	View of cleared area adjacent to residential area.



Date: 5/8/2024

Photographer: KLS

2	Location	Eastern portion of property, facing northeast.
	Remarks	Typical view of wooded area.



Date: 5/8/2024

Photographer: KLS

3	Location	Lower section of S1, facing southeast.
	Remarks	Typical view of S1.

Photographer: KLS	Date: 5/8/2024
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4	Location	Upper section of S1, facing north.
	Remarks	Typical view of S1.

Photographer: KLS	Date: 5/8/2024
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5	Location	View of S1 as it enters the property, facing southwest.
	Remarks	Typical view of S1

	Date: 5/8/2024
Photographer: KLS	

6	Location	DP1, facing east.
	Remarks	Upland conditions confirmed within this area.

	Date: 5/8/2024
Photographer: KLS	

Appendix III- TDEC HD and USACE Wetland Determination Data Forms



Hydrologic Determination Field Data Sheet
 Tennessee Division of Water Resources, Version 1.5 (Fillable Form)

Named Waterbody: Unnamed Tributary to Little Richland Creek		Date/Time: 5/8/24 and 5/22/24
Assessors/Affiliation: K.Smedley & R. Schroering / Asa Engineering & Consulting		Project ID : S1
Site Name/Description: 3 Nicholas Drive		
Site Location: 3 Nicholas Drive, Dayton TN		
HUC (12 digit): 060200010202 Little Richland Creek	Latitude: 35.517019	
Previous Rainfall (7-days) : 5/1: 0.14"; 5/3: 0.64"; 5/5: .041"; 5/7: 0.81"; 5/15: 0.42"; 5/19: 2.8"	Longitude: -85.009173	
Precipitation this Season vs. Normal : elevated Source of recent & seasonal precip. data : CoCoRaHS TN-BL-18 / USACE APT		
Watershed Size : 0.74 Square Miles	County: Rhea	
Soil Type(s) / Geology : Colbert and Lyerly soils / Rockwood Formation	Source: NRCS / USGS	
Surrounding Land Use : Residential		
Degree of historical alteration to natural channel morphology & hydrology (select one & describe fully in Notes) : Absent		

Primary Field Indicators Observed

Primary Indicators	NO	YES
1. Hydrologic feature exists solely due to a process discharge	<input checked="" type="checkbox"/>	WWC
2. Defined bed and bank absent, vegetation composed of upland and FACU species	<input checked="" type="checkbox"/>	WWC
3. Watercourse dry anytime during February through April 15th, under normal precipitation / groundwater conditions	N/A <input type="checkbox"/>	WWC
4. Daily flow and precipitation records showing feature only flows in direct response to rainfall	<input checked="" type="checkbox"/>	WWC
5. Presence of multiple populations of obligate lotic organisms with ≥ 2 month aquatic phase	<input checked="" type="checkbox"/>	Stream
6. Presence of fish (except <i>Gambusia</i>)	<input checked="" type="checkbox"/>	Stream
7. Presence of naturally occurring ground water table connection	<input checked="" type="checkbox"/>	Stream
8. Flowing water in channel and 7 days since last precip >0.1" in local watershed	<input checked="" type="checkbox"/>	Stream
9. Evidence watercourse has been used as a supply of drinking water	<input checked="" type="checkbox"/>	Stream

NOTE: If any Primary Indicators 1-9 = "Yes", then no further investigation is necessary. However, assessors may choose to score secondary indicators as supporting evidence.

In the absence of a primary indicator, or other definitive evidence, complete the secondary indicator table on page 2 of this sheet, and provide score below.

Guidance for the interpretation and scoring of both the primary & secondary indicators is provided in *TDEC-DWR Guidance For Making Hydrologic Determinations, Version 1.5*

Overall Hydrologic Determination = STREAM
Secondary Indicator Score (if applicable) = 20.50

Justification / Notes : _____

WETLAND DETERMINATION DATA FORM – Eastern Mountains and Piedmont

Project/Site: 3 Nicholas Drive City/County: Hamilton Sampling Date: 5/8/2024
 Applicant/Owner: Homes of America, LLC State: TN Sampling Point: DP1
 Investigator(s): K. Smedley of Asa Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Valley Local relief (concave, convex, none): none Slope (%): _____
 Subregion (LRR or MLRA): LRR N Lat: 35.516423 Long: -85.009112 Datum: NAD 83
 Soil Map Unit Name: Colbert and Lyerly Soils NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/> Hydric Soil Present? Yes _____ No <input checked="" type="checkbox"/> Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes _____ No <input checked="" type="checkbox"/>
Remarks:	

HYDROLOGY

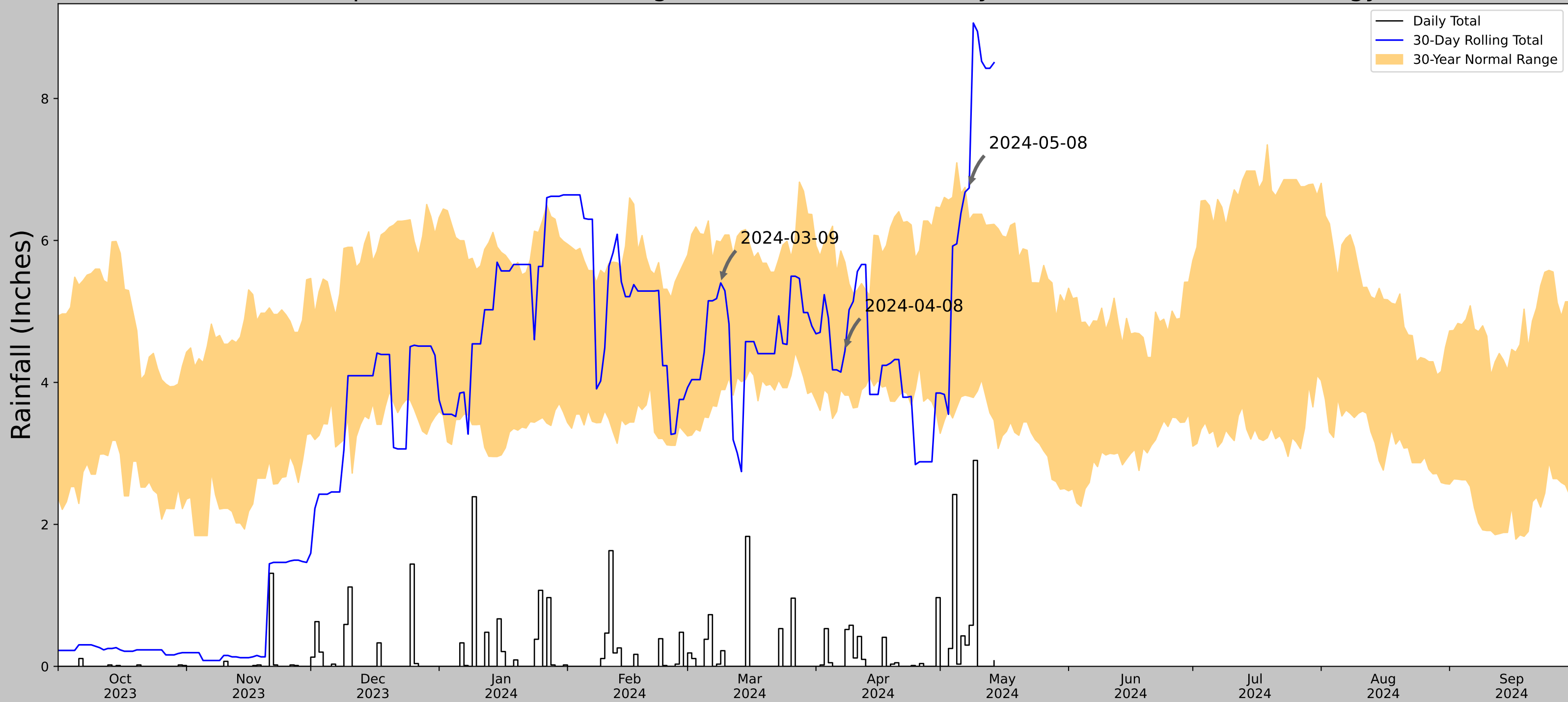
Wetland Hydrology Indicators: <u>Primary Indicators (minimum of one is required; check all that apply)</u> ___ Surface Water (A1) ___ True Aquatic Plants (B14) ___ High Water Table (A2) ___ Hydrogen Sulfide Odor (C1) ___ Saturation (A3) ___ Oxidized Rhizospheres on Living Roots (C3) ___ Water Marks (B1) ___ Presence of Reduced Iron (C4) ___ Sediment Deposits (B2) ___ Recent Iron Reduction in Tilled Soils (C6) ___ Drift Deposits (B3) ___ Thin Muck Surface (C7) ___ Algal Mat or Crust (B4) Other (Explain in Remarks) ___ Iron Deposits (B5) ___ Inundation Visible on Aerial Imagery (B7) ___ Water-Stained Leaves (B9) ___ Aquatic Fauna (B13)	<u>Secondary Indicators (minimum of two required)</u> ___ Surface Soil Cracks (B6) ___ Sparsely Vegetated Concave Surface (B8) ___ Drainage Patterns (B10) ___ Moss Trim Lines (B16) ___ Dry-Season Water Table (C2) ___ Crayfish Burrows (C8) ___ Saturation Visible on Aerial Imagery (C9) ___ Stunted or Stressed Plants (D1) ___ Geomorphic Position (D2) ___ Shallow Aquitard (D3) ___ Microtopographic Relief (D4) ___ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? Yes _____ No <input checked="" type="checkbox"/> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks:	

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DP1

	Absolute % Cover	Dominant Species?	Indicator Status	
Tree Stratum (Plot size: <u>30 feet</u>)				Dominance Test worksheet:
1. <u>Pyrus calleryana</u>	40	YES	NI	Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A)
2. <u>Liriodendron tulipifera</u>	15	YES	FACU	Total Number of Dominant Species Across All Strata: <u>5</u> (B)
3. _____	-	-	-	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>20</u> (A/B)
4. _____	-	-	-	
5. _____	-	-	-	
6. _____	-	-	-	
7. _____	-	-	-	
8. _____	-	-	-	
	55	= Total Cover		Prevalence Index worksheet:
Sapling/Shrub Stratum (Plot size: <u>30 feet</u>)				Total % Cover of: _____ Multiply by: _____
1. <u>Rosa multiflora</u>	7	YES	FACU	OBL species _____ x 1 = _____
2. <u>Lindera benzoin</u>	3	YES	FAC	FACW species _____ x 2 = _____
3. _____	-	-	-	FAC species _____ x 3 = _____
4. _____	-	-	-	FACU species _____ x 4 = _____
5. _____	-	-	-	UPL species _____ x 5 = _____
6. _____	-	-	-	Column Totals: <u>0</u> (A) <u>0</u> (B)
7. _____	-	-	-	Prevalence Index = B/A = <u>0</u>
8. _____	-	-	-	
9. _____	-	-	-	Hydrophytic Vegetation Indicators:
10. _____	-	-	-	<input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
	10	= Total Cover		<input type="checkbox"/> 2 - Dominance Test is >50%
Herb Stratum (Plot size: <u>15 feet</u>)				<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹
1. <u>Microstegium vimineum</u>	50	YES	FAC	<input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)
2. <u>Panicum capillare</u>	8	NO	FACW	<input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain)
3. <u>Campsis radicans</u>	3	NO	FAC	
4. <u>Lonicera sempervirens</u>	3	NO	FACU	¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
5. <u>Parthenocissus quinquefolia</u>	2	NO	FACU	Definitions of Four Vegetation Strata:
6. <u>Ambrosia artemisiifolia</u>	1	NO	FACU	Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.
7. _____	-	-	-	Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.
8. _____	-	-	-	Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.
9. _____	-	-	-	Woody vine – All woody vines greater than 3.28 ft in height.
10. _____	-	-	-	
11. _____	-	-	-	
12. _____	-	-	-	
	67	= Total Cover		
Woody Vine Stratum (Plot size: _____)				
1. _____	-	-	-	
2. _____	-	-	-	
3. _____	-	-	-	
4. _____	-	-	-	
5. _____	-	-	-	
6. _____	-	-	-	
	0	= Total Cover		Hydrophytic Vegetation Present? Yes _____ No <input checked="" type="checkbox"/>
Remarks: (Include photo numbers here or on a separate sheet.)				

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	35.517019, -85.009173
Observation Date	2024-05-08
Elevation (ft)	719.976
Drought Index (PDSI)	Mild drought (2024-04)
WebWIMP H ₂ O Balance	Wet Season

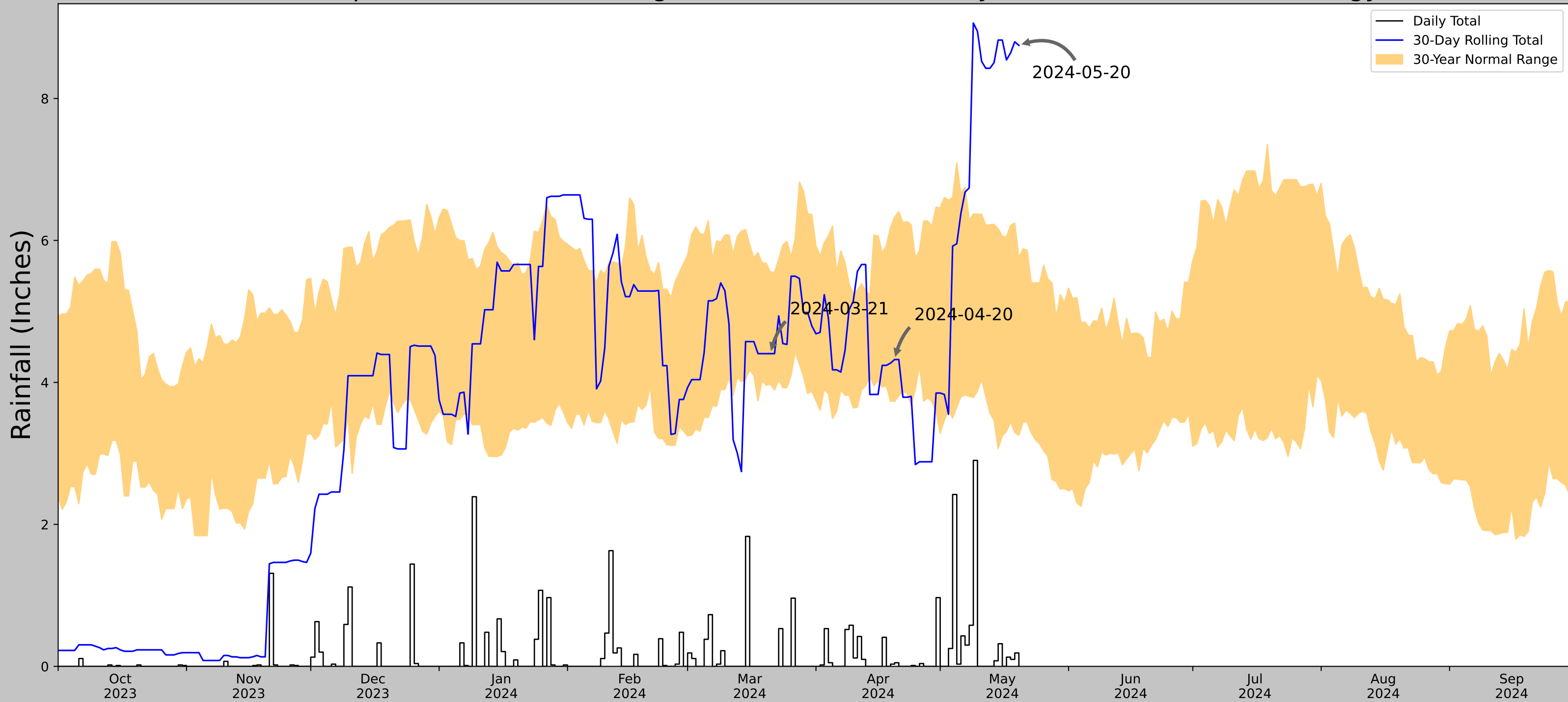
30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-05-08	3.806299	6.288583	6.740158	Wet	3	3	9
2024-04-08	3.820079	5.692126	4.444882	Normal	2	2	4
2024-03-09	3.898819	5.976772	5.401575	Normal	2	1	2
Result							Wetter than Normal - 15

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
PIKEVILLE	35.5983, -85.1939	863.845	11.805	143.869	7.011	11352	89
DAYTON 2SE	35.4722, -84.9958	821.85	14.141	41.995	6.957	0	1

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	35.517019, -85.009173
Observation Date	2024-05-20
Elevation (ft)	719.976
Drought Index (PDSI)	Mild drought (2024-04)
WebWIMP H ₂ O Balance	Wet Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2024-05-20	3.254725	5.76063	8.748032	Wet	3	3	9
2024-04-20	3.732284	6.330709	4.322835	Normal	2	2	4
2024-03-21	3.975984	5.553543	4.405512	Normal	2	1	2
Result							Wetter than Normal - 15

Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

Written by Jason Deters
U.S. Army Corps of Engineers

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
PIKEVILLE	35.5983, -85.1939	863.845	11.805	143.869	7.011	11352	89
DAYTON 2SE	35.4722, -84.9958	821.85	14.141	41.995	6.957	0	1

U.S. Army Corps of Engineers (USACE)
REQUEST FOR JURISDICTIONAL DETERMINATION (JD)

For use of this form, see Sec 404 CWA, Sec 10 RHA, Sec 103 MPRSA; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0024
Expires 2024-04-30

DATA REQUIRED BY THE PRIVACY ACT OF 1974

- Authority** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.
- Principal Purpose** The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the review area that are or that may be subject to federal jurisdiction under the regulatory authorities referenced above.
- Routine Uses** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice or FOIA request as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in any approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.
- Disclosure** Submission of requested information is voluntary, however, if the information is not provided there may be some delay in processing your request. Failure to provide this information will not result in an adverse action.
System of Record Notice (SORN): The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website:
<http://dpcl.dod.mil/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx>

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0024, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

1. To (*District Name*): Nashville

2. I am requesting a JD on property located at (*Street Address*): 3 Nicholas Drive

City/Township/Parish: Dayton County: Rhea State: Tennessee

Acreage of Parcel/Review Area for JD: 4.28 acres

Section: Township: Range:

Latitude (*decimal degrees*): 34.516423 ° Longitude (*decimal degrees*): -85.009112 °

(For linear projects, please include the center point of the proposed alignment.)

3. Please attach a survey/plat map and vicinity map identifying location and review area for the JD.

4. I currently own this property. I plan to purchase this property.
 I am an agent/consultant acting on behalf of the requester.
 Other (*please explain*):

5. Reason for request: (check as many as applicable)

- I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all aquatic resources.
- I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
- I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
- I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.
- I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.
- A Corps JD is required in order to obtain my local/state authorization.
- I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
- I believe that the site may be comprised entirely of dry land.
- Other:

6. Type of determination being requested:

- I am requesting an approved JD.
- I am requesting a preliminary JD.
- I am requesting a "no permit required" letter as I believe my proposed activity is not regulated.
- I am unclear as to which JD I would like to request and require additional information to inform my decision.

7. Typed or Printed Name: Deondre Singleton

Daytime Phone No.: 404-319-1018

Company Name: Homes of America

Email Address: dsingleton@ourhomesofamerica.com

Address: 10 Sterling Blvd Englewood, NJ 07631

By signing below, you are indicating that you have the authority, or are acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant Corps personnel right of entry to legally access the site if needed to perform the JD. Your signature shall be an affirmation that you possess the requisite property rights to request a JD on the subject property.

Signature: **Deondre Singleton** Digitally signed by Deondre Singleton
Date: 2024.05.31 11:19:03 -04'00'


Date: 2024-05-31

FW: HD Request for Nicholas Drive, Dayton TN Site

Jennifer Innes <Jennifer.Innes@tn.gov>

Mon 6/10/2024 3:43 PM

To: Cali Calderwood <Cali.Calderwood@tn.gov>; Hannah L. Biggs <Hannah.L.Biggs@tn.gov>; Jason Dees <Jason.Dees@tn.gov>

 2 attachments (2 MB)

Signed USACE Authorization Form.pdf; Jurisdictional Waters Assessment Report.pdf;

Please upload to HD site for Nicholas Drive, it is assigned to Jason.

From: Kristy Smedley <ksmedley@asaengineeringinc.com>

Sent: Monday, June 3, 2024 8:16 AM

To: Jennifer Innes <Jennifer.Innes@tn.gov>

Cc: Matt Fontenot <mfontenot@atwell-group.com>; Aric.J.Payne@usace.army.mil

Subject: [EXTERNAL] HD Request for Nicholas Drive, Dayton TN Site

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good morning, Jennifer,

Please find attached a request for confirmation of a Jurisdictional Waters Assessment conducted in May 2024 within a proposed development site in Dayton, Rhea County. A single TDEC Stream/ USACE Intermittent Stream was identified onsite. The signed USACE form is attached. We have submitted this request to the USACE via their JD Request Online submittal portal.

Please let me know if you have any questions or need additional information to complete this request.

Sincerely,

Kristy Smedley, MS, TN-QHP

Senior Scientist / Environmental Lead

Asa Engineering & Consulting, Inc.

201 Cherokee Boulevard, Suite 101

Chattanooga, TN 37405

O: 423.805.3700

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