

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: On December 1, 2021, the requestor was advised that a review of sensing data and observations made during a site visit near the subject study area on August 24, 2021, revealed the removal of a culvert located under Burke Lane. This non-compliance activity could have severed the hydrological connection to the subject study area and other downstream jurisdictional waters impacting normal conditions at the site. USACE visited the site on March 29, 2022, to verify the findings of the aquatic resource delineation and to identify any potential impacts associated with the culvert removal. During the inspection, USACE staff confirmed that the site is comprised of uplands with no aquatic resources that are regulated under Section 404 of the Clean Water Act or under Section 10 of the Rivers and Harbors Act. However, USACE documented an upland swale that did allow for a historical surface water connection between upstream and downstream jurisdictional waters connecting through the culvert previously located under Burke Lane and an existing culvert located under 1525 West.