



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NORFOLK DISTRICT  
FORT NORFOLK  
803 FRONT STREET  
NORFOLK VA 23510-1011

September 28, 2023

## **PRELIMINARY JURISDICTIONAL DETERMINATION**

Eastern Virginia Regulatory Section  
NAO-2023-01521 (Lawnes Creek)

Huber Family Trust  
5396 Old Stage Highway  
Smithfield, Virginia 23430

To whom it may concern:

This letter is in regard to your request for a preliminary jurisdictional determination of the aquatic resources (e.g., wetlands, streams, and ponds), on an approximately 185.24-acre property located at the northwest corner of Route 10 and Burwells Bay Road in Isle of Wight, Virginia at approximate coordinates (37.057209, -76.682403), and identified as Tax Parcel Number 06-01-066 by Isle of Wight County, hereinafter referred to as project area.

The map entitled "Figure 2: Site Conditions Map Wetland Delineation Burwells Bay Road Isle of Wight, Virginia TPIN: 06-01-066," by Bay Environmental, Inc. dated September 13, 2023 and received by the U.S. Army Corps of Engineers (Corps) on September 13, 2023 provides the locations of the aquatic resources within the project area referenced above. The delineation identified 22.37-acres of wetlands within the project area. This letter is not confirming the Cowardin classifications of these aquatic resources.

These aquatic resources exhibit wetland criteria as defined in the 1987 Corps of Engineers Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement.

This preliminary jurisdictional determination and associated aquatic resource delineation map may be submitted with a permit application.

Please be aware that you may be required to obtain a Corps permit for any discharge of dredged and/or fill material, either temporary or permanent, into a water of the U.S. In addition, you may be required to obtain a Corps permit for certain activities occurring within, under, or over a navigable water of the U.S. subject to the Section 10 of the Rivers and Harbors Act. Furthermore, you may be required to obtain state and local authorizations, including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC), and/or a permit from your local wetlands board.

This delineation and preliminary jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. Therefore, if you or your tenant are US Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

This is a preliminary jurisdictional determination and is not a legally binding determination regarding whether Corps jurisdiction applies to the aquatic resources in question. To determine Corps' jurisdiction, you may request and obtain an approved jurisdictional determination.

This delineation of aquatic resources can be relied upon for no more than five years from the date of this letter. New information may warrant revision. Enclosed is a copy of the "Preliminary Jurisdictional Determination Form". Please review the document, sign, and return one copy to the Corps, either by email Katherine.t.hollingsworth@usace.army.mil or by standard mail to Attn: K. Taylor Hollingsworth, U.S. Army Corps of Engineers, Norfolk District, CENAO-WR-R, 803 Front Street, Norfolk, VA 23510-1011.

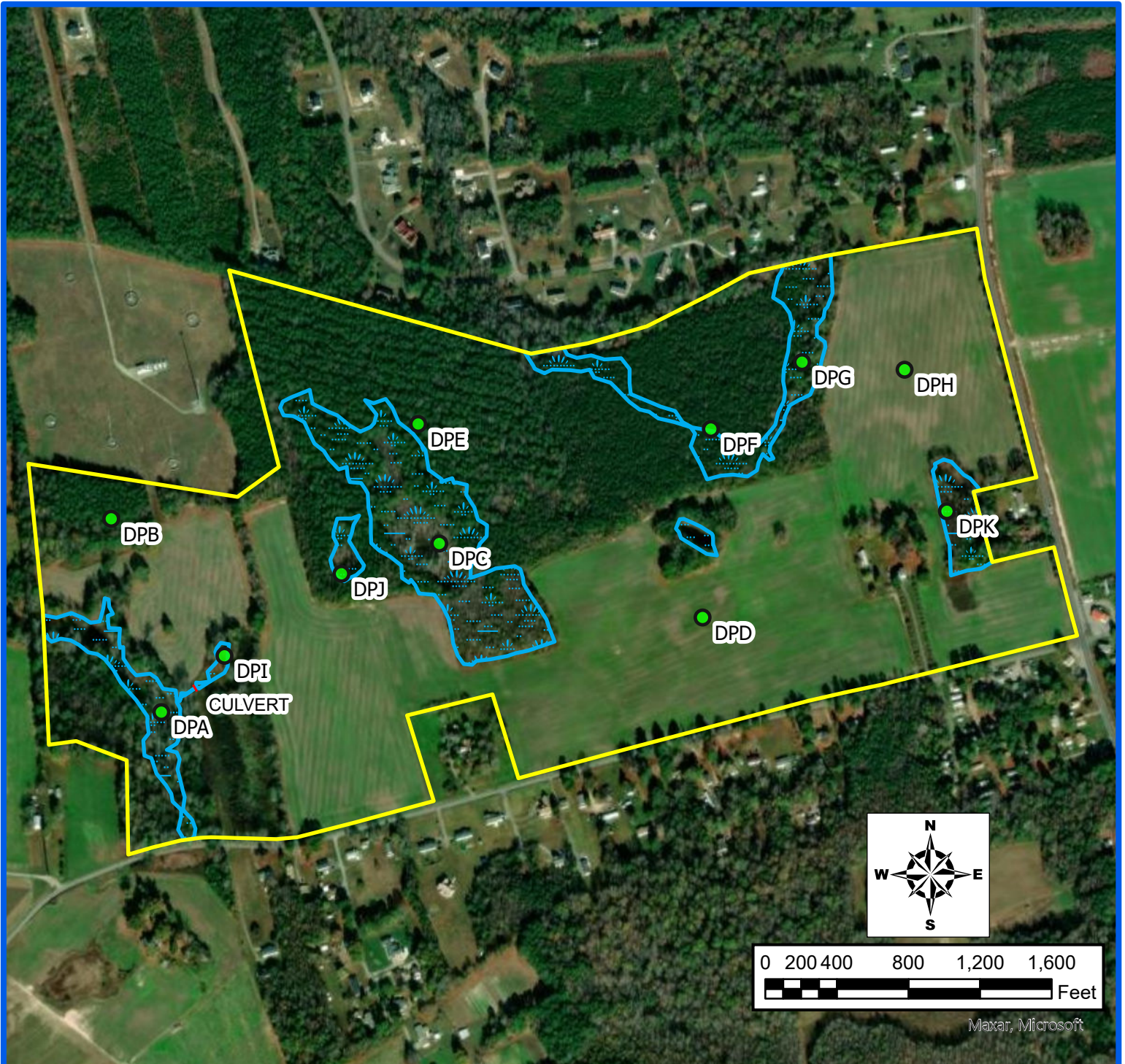
If you have any questions, please contact the office either by telephone at (757) 201-7044 or by email at Katherine.t.hollingsworth@usace.army.mil

Sincerely,

K. Taylor Hollingsworth  
Eastern Virginia  
Regulatory Section

Enclosure(s):

cc: Bay Environmental, Inc. (c/o Jim Cahoon)  
DEQ  
Isle of Wight County



**Legend**

- Study Area ~ 185.24 acres
- Culvert
- Wetlands ~ 22.37 acres
- Data Points

Note: This map is preliminary and has not been approved by Isle of Wight County, the Virginia Department of Environmental Quality, or the U.S. Army Corps of Engineers.  
 Source: State of Virginia 2021 Orthophotographs, Wetlands collected with Trimble R1.

Scale: 1 in = 800 ft  
 Bay #: 23-156-01  
 Date: 9/13/2023  
 Prepared by: ACH  
 Reviewed by: AJLC  
 VA PWD#: 3402000113

Figure 2: Site Conditions Map  
 Wetland Delineation  
 Burwells Bay Road  
 Isle of Wight, Virginia  
 TPIN: 06-01-066

