



February 28, 2006

VIA FEDERAL EXPRESS

Mr. Brian Cullen
Netway
c/o Keane Enterprises
20604 Gordon Park Square, Suite 170
Ashburn, Virginia 20147

Re: Waters of the U.S. (Including Wetlands) Delineation
Netway (\pm 32 acres)
Loudoun County, Virginia
WSSI #21375.01

Dear Mr. Cullen:

At your request, Wetland Studies and Solutions, Inc. (WSSI) has determined the boundaries of the jurisdictional wetlands and other waters of the U.S. (i.e., streams and ponds) on the referenced site. Our findings are depicted (as a surveyed map) on Attachment I and are discussed in detail below.

Project Area:

The site is located in the northwest quadrant of the intersection of Waxpool Road (Route 625) and Ashburn Village Blvd., in Loudoun County, Virginia. Exhibit 1 is a vicinity map that depicts the approximate boundaries of the site and its general location. The site consists of an early successional field throughout the majority of the site, a small deciduous forest in the north, a forested floodplain to the west, and an unnamed tributary to Beaverdam Run along the western border. For the larger portion of the site, a stormwater pond is located off-site, along the northern boundary, Ashburn Village Blvd. creates the boundary to the east, and Waxpool Road creates the southern boundary. This site is slightly sloping toward the stormwater pond in the northern portion of the site. The topography can be seen in the excerpt from the Sterling, Virginia-Maryland 1994 USGS topographic quadrangle map included as Exhibit 2, as well as in the background topography on the Waters of the U.S. Delineation Map (Attachment I).

Methodology:

This wetland delineation was performed pursuant to the "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1 (1987 Manual). The Routine On-Site Wetland Determination Method for sites more than 5 acres was used, with multiple transects performed as depicted on Attachment I. Field work was performed by Lynn S. Taylor, PWS¹ and Jean W. Tufts, WPIT², on February 10, 15, and 17, 2006.

Prior to conducting field work, relevant background information was reviewed including site topography, the Sterling, VA-MD 1994 USGS Quad (Exhibit 2) and National

¹ Professional Wetland Scientist #1491, Society of Wetlands Scientists Certification Program, Inc.

² Wetland Professional in Training, Society of Wetlands Scientists Certification Program, Inc.

Wetlands Inventory (Exhibit 3) maps, Loudoun County Soils Map data (Exhibit 4), and the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Panel 51107C0263D revised 7/5/2001 (Exhibit 5). Aerial photographs of the site, including a Spring 2004 Color Infrared Photograph from WSSI (Exhibit 6) and a Summer 2004 natural color photograph from Aerials Express (Exhibit 7) were also examined to investigate whether signatures indicative of wetlands are found on the site.

Samples of vegetation, soils and hydrology were taken at representative locations in the wetlands and adjacent non-wetland areas to determine the wetland boundaries. Routine Wetland Determination data forms describing representative plant communities are included as Exhibit 8. Photographs of the site are included in Exhibit 9. The surveyed locations of delineated wetlands, other waters of the U.S. and data site 1, and the approximate locations of data sites 2-5 and photographs are depicted on Attachment I.

Stream evaluation methods developed by the North Carolina Division of Water Quality (NCDWQ)³ and the Fairfax County Department of Public Works and Environmental Services (DPWES)⁴ were applied in the field to determine whether the streams on the site are ephemeral, intermittent, or perennial. Application of these stream evaluation methods results in numeric scores generated through the qualitative evaluation of the stream's geomorphologic, hydrologic and biological characteristics, and these scores are used, in combination with the best professional judgment of the evaluator, to determine the stream's flow regime.

Based on the NCDWQ method, streams scoring below 19 are generally considered to be ephemeral, while streams scoring 19 or greater are at least intermittent. Based on the NCDWQ "Policy for the Definition of Perennial Stream Origins", a stream is considered perennial if any of the following criteria are met:

1. Biological indicators such as fish, crayfish (if observed in the stream channel), larval salamanders, large, multi-year tadpoles, or clams are present.⁵ OR
2. A numerical score of at least 30 is obtained using the most recent version of the NCDWQ stream identification form. OR
3. More than one benthic macroinvertebrate that requires water for their entire life cycles are present as later instar larvae.⁶

A pilot study conducted by Fairfax County and subsequent guidance from the Virginia Department of Conservation and Recreation (DCR) Chesapeake Bay Local Assistance Department (CBLAD)⁷ indicate that streams receiving scores of 25 or greater under the Fairfax County method are perennial. According to the Fairfax County protocol's "Overall Score Interpretation", streams containing flow during the dry season (from July through September)

³ North Carolina Division of Water Quality. *Identification Methods for the Origins of Intermittent and Perennial Streams. Version 3.1. Effective Date: February 28, 2005.*

⁴ Fairfax County Department of Public Works and Environmental Services. *Perennial Stream Field Identification Protocol. May 2003.*

⁵ *If only crayfish or fingernail clams are present, a numerical score of at least 18 on the geomorphology section of the most recent version of the NCDWQ stream classification form is required.*

⁶ *Lists of benthic macroinvertebrates that NCDWQ considers perennial stream indicators are provided in Tables 5 and 6 of the NCDWQ assessment methodology.*

⁷ *Source: Virginia Department of Conservation and Recreation, Determinations of Water Bodies with Perennial Flow, Guidance on the Chesapeake Bay Preservation Area Designation and Management Regulations, September 2003.*

in a year of near-normal rainfall or during periods of drought⁸, or streams containing aquatic organisms whose life cycles require residency in flowing water for extended periods (especially one year or greater) may also be considered perennial.

Guidance from CBLAD⁹ indicates that all streams that receive assessment scores within three points of the intermittent/perennial threshold scores under both the NCDWQ and Fairfax County methods (30 and 25, respectively) should be re-examined before making an intermittent vs. perennial determination, unless biological indicators of perennial flow listed above are present within the stream. Re-examination may include revisiting the stream during the summer or early fall months when low stream flows would be expected.

Stream evaluation data forms that provide the results of the two stream evaluation methods and summarize WSSI's stream flow determinations are provided in Exhibit 10.

WSSI also reviewed the Palmer Drought Severity Index (Exhibit 11a) and U.S. Drought Monitor (Exhibit 11b) maps to determine if drought conditions were present at the time of the stream assessment field work. The Palmer Drought Severity Index Map indicates that the stream evaluation fieldwork was completed during an unusual moist spell, and the U.S. Drought Monitoring Map indicates that no dry or droughty conditions were present during WSSI's stream evaluation field work.

Findings:

In WSSI's opinion, jurisdictional areas are present on this site, as discussed below. These include a palustrine forested (PFO) wetland along the western portion of the site, an unnamed tributary to Beaverdam Run that flows to the north along the western boundary of the site, and an intermittent stream in the northern portion of the site. A jurisdictional pond is located off-site, along the northern border of the site.

- A small palustrine forested (PFO) wetland, which is dominated by trees, is present in the floodplain of the unnamed tributary to Beaverdam Run along the western boundary of the site. This PFO wetland, which derives its hydrology from ponding of surface flow run-off and over-bank flooding, is described in Data Point 3 (Photo #1).
- An unnamed tributary to Beaverdam Run flows to the north along the western boundary of the site. This stream (Photo #2) is depicted on the USGS topographic map of the site (Exhibit 2) as an intermittent stream (i.e., a thin blue line 0.004" wide) along the southwestern portion of the site, transitioning to a perennial stream (i.e., a thick blue line 0.008" wide) along the northwestern and northern portions of the site. An assessment of Stream Reach A along this stream achieved scores of 24.5 with the Fairfax County method and 32.0 with the NCDWQ method. Although these scores fall within 3 points of the perennial threshold, WSSI's observations of an absence of any biological indicators of perennial flow, indicate that this stream is likely intermittent.

⁸ *Guidance from the Chesapeake Bay Local Assistance Department (CBLAD) recommends the use of the Palmer Drought Severity Index to determine if "non-drought" conditions are present. CBLAD guidance states the "Documented observations of no flow when the Palmer Drought Severity Index is wetter than a classification of -2.0 (moderate drought) should be considered definitive confirmation that the stream is not perennial." The Fairfax County Department of Public Works and Environmental Services*

⁹ *Virginia Department of Conservation and Recreation, Determinations of Water Bodies with Perennial Flow, Guidance on the Chesapeake Bay Preservation Area Designation and Management Regulations, September 2003.*

Further observation of this stream during the late-summer low-flow period (typically July through September) during a non-drought year would be required to confirm whether this stream is intermittent or perennial.

- An unnamed stream (Photo #3) flows to the northwest in the northern portion of the site, into the stormwater pond along the northwestern and northern site boundary. This stream is depicted by topography only on the USGS topographic map (Exhibit 2) of the site. An assessment of Stream Reach B along this stream achieved scores of 20.5 with the Fairfax County method and 23.5 with the NCDWQ method. These scores, which fall below the intermittent/perennial threshold, combined with WSSI's observations of a benthic macroinvertebrate community of sow bugs and flatworms, which are not biological indicators of perennial flow, indicate that this stream is likely intermittent.
- In addition to the wetlands and streams, a pond is present along the northern border of the site (Photo #4). This pond has been constructed in-line with a stream, and thus is considered jurisdictional waters of the U.S.
- Other areas on the site were investigated for the presence of jurisdictional features, but were determined not to be jurisdictional wetlands or other waters of the U.S. These areas either lack an ordinary high water mark and a defined bed and bank and are therefore not jurisdictional streams, or fail to satisfy all three parameters (hydrophytic vegetation, wetland hydrology, and hydric soils) for a jurisdictional wetland. Data Point 1 (Photo #5) characterizes a non-jurisdictional swale in the field, upslope of the intermittent stream in the northern portion of the site. Although standing water was observed in small areas, in WSSI's opinion saturated conditions are not present for a sufficient duration during the growing season to actually support wetland hydrology. This data point also lacked a hydrophytic plant community or hydric soil at the time of this study.

Data Point 2 (Photo # 6) characterizes a non-wetland depression in the field. The small areas of standing water observed during the site visit may reside long enough to support hydrophytic vegetation; however, the soils currently lack a chroma 3 (for red parent material soil) to be considered hydric. Therefore, this area is not a jurisdictional wetland. Data Point 4 (Photo #7) characterizes the non-wetland floodplain along the unnamed tributary to Beaverdam Run.

- The remainder of the site is comprised of upland fields, characterized by Data Point 5 (Photo #8).

Summary:

In WSSI's opinion, jurisdictional wetlands and other waters of the U.S. are present within the study area, based on our site observations as described in this letter. The waters of the U.S. on the site (i.e., the wetlands, and streams) are regulated by Section 401 and 404 of the Clean Water Act and by state wetlands laws and cannot be disturbed without the appropriate permits, which may include permits from local agencies, as well as the COE and the Virginia Department of Environmental Quality (DEQ), depending upon the extent and type of impacts.

We have forwarded this report to the U.S. Army Corps of Engineers (COE) requesting a jurisdictional determination (JD) verifying the jurisdictional boundaries. If you have any questions, please call our office at 703-679-5600.

Limitations:

This study is based on examination of the vegetation, soils and hydrology and available reference documents. Field indicators can change with variations in hydrology and other factors. Therefore, our conclusions may vary significantly from future observation by others. This report assesses the potential for wetlands at the site at the time of our review and does not address conditions at a given time in the future.

Our review and report have been prepared in accordance with generally accepted guidelines for the conduct of a survey for potential wetlands. We make no other warranties, either expressed or implied, and our report is not a recommendation to buy, sell or develop the property.

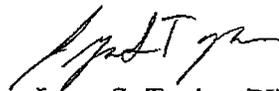
We offer no opinion and do not purport to opine on the possible application of various building codes, zoning ordinances, other land use or platting regulations, environmental or health laws and other similar statutes, laws, ordinances, code and regulations affecting the possible use and occupancy of the Property for the purpose for which it is being used, except as specifically provided above.

The foregoing opinions are based on applicable laws, ordinances, and regulations in effect as of the date hereof and should not be construed to be an opinion as to the matters set out herein should such laws, ordinances or regulations be modified, repealed or amended.

This report does not constitute a Jurisdictional Determination of Waters of the United States since such determinations must be verified by the U.S. Army Corps of Engineers or the Natural Resources Conservation Service (as applicable), and are subject to review by the U.S. Environmental Protection Agency.

Sincerely,

WETLAND STUDIES AND SOLUTIONS, INC.



Lynn S. Taylor, PWS
Environmental Scientist

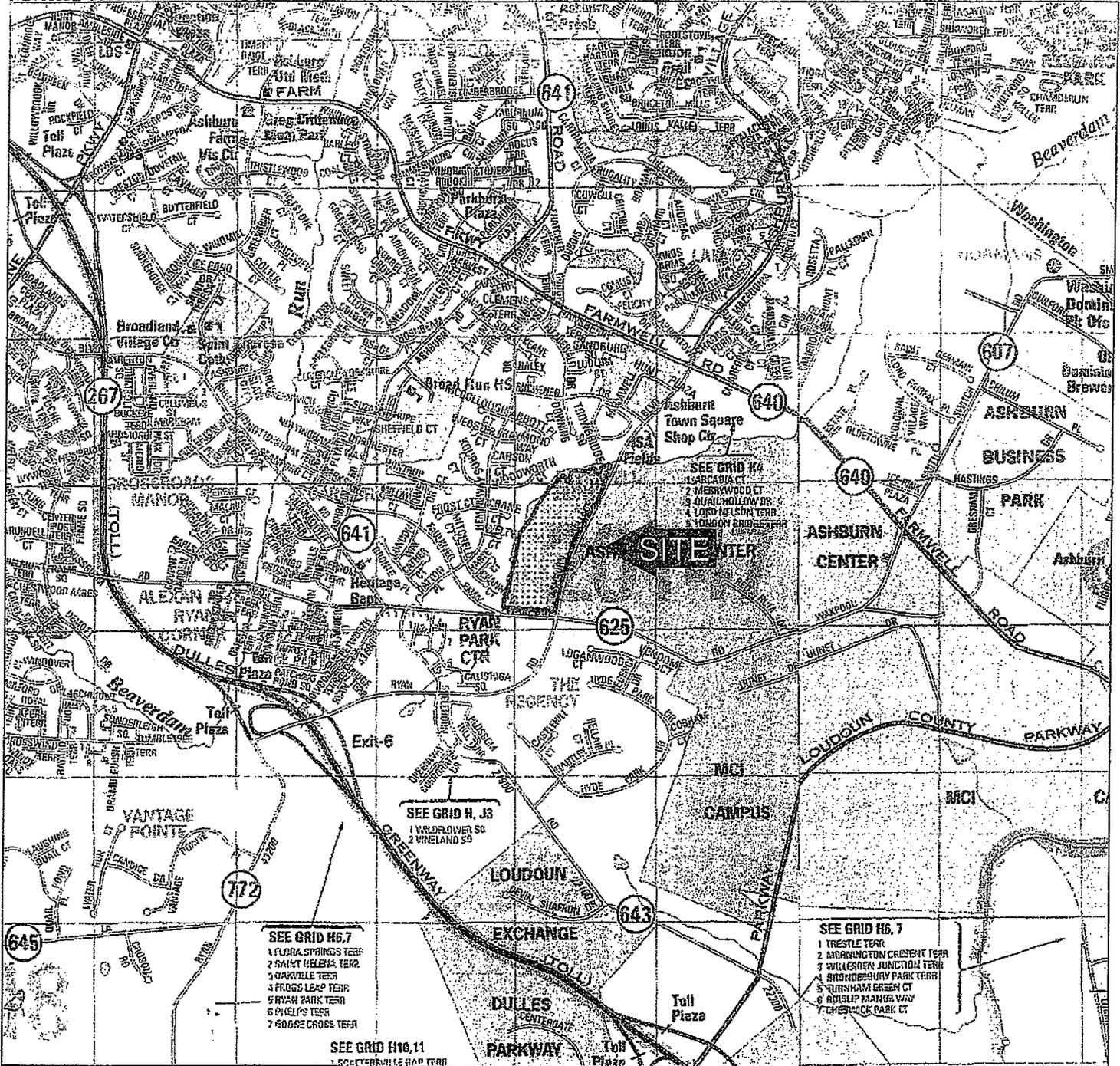


Mark Headly, PWS¹⁰, PWD¹¹
Vice President

Enclosures

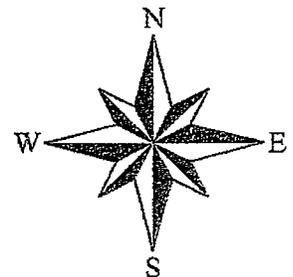
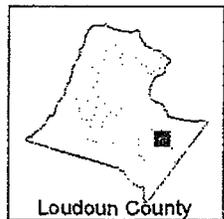
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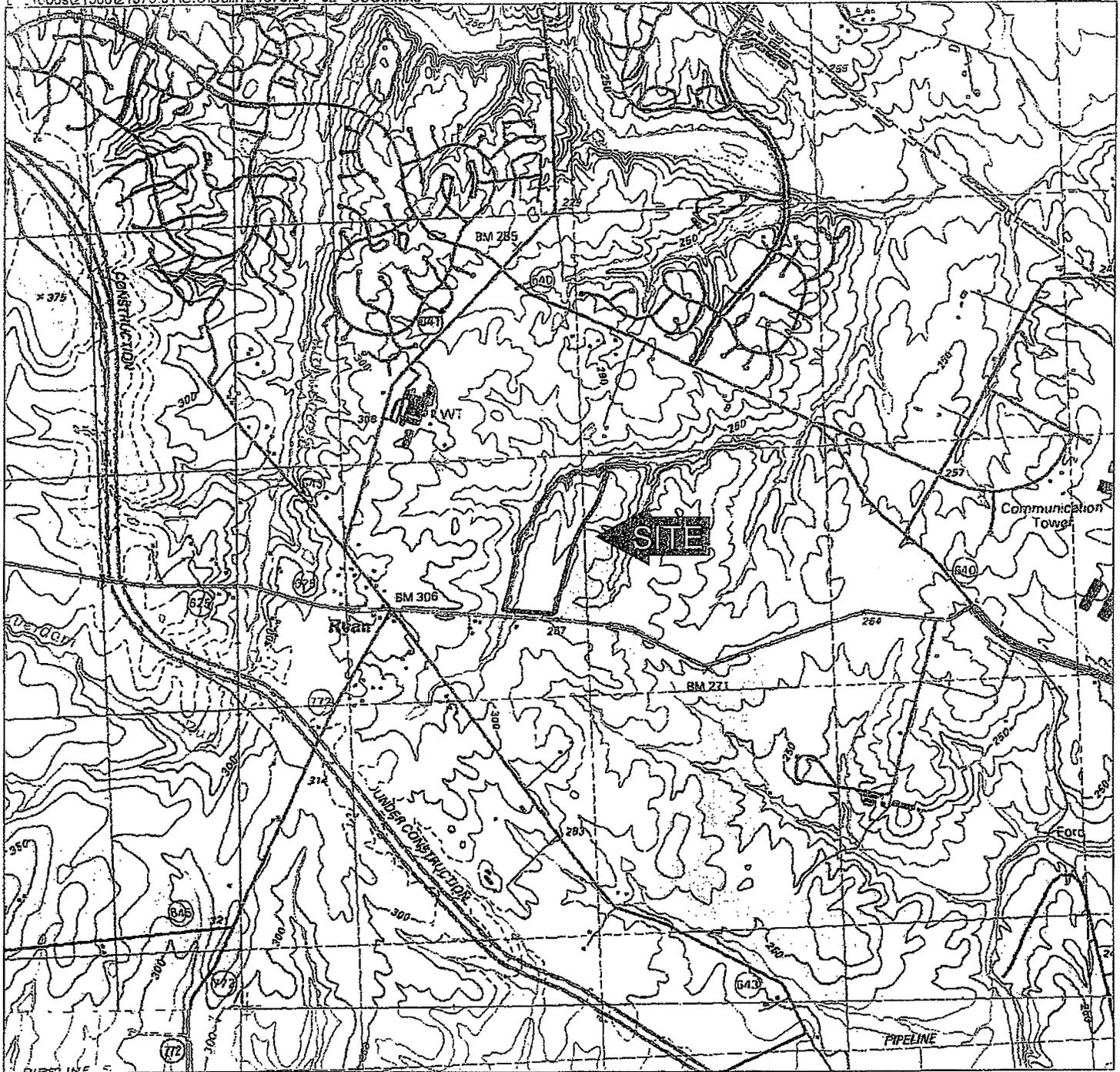
¹⁰ Professional Wetland Scientist #00000462, Society of Wetlands Scientists Certification Program, Inc.
¹¹ U.S. Army Corps of Engineers Wetland Delineator Certification #WDCP94MD0310114B



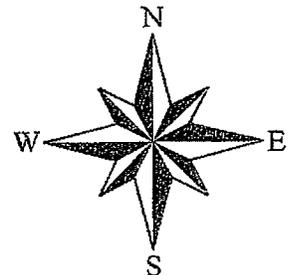
Copyright ADC The Map People
 Permitted Use Number 30411160

Vicinity Map
 Netway
 WSSI #21375.01
 Scale: 1" = 2000'

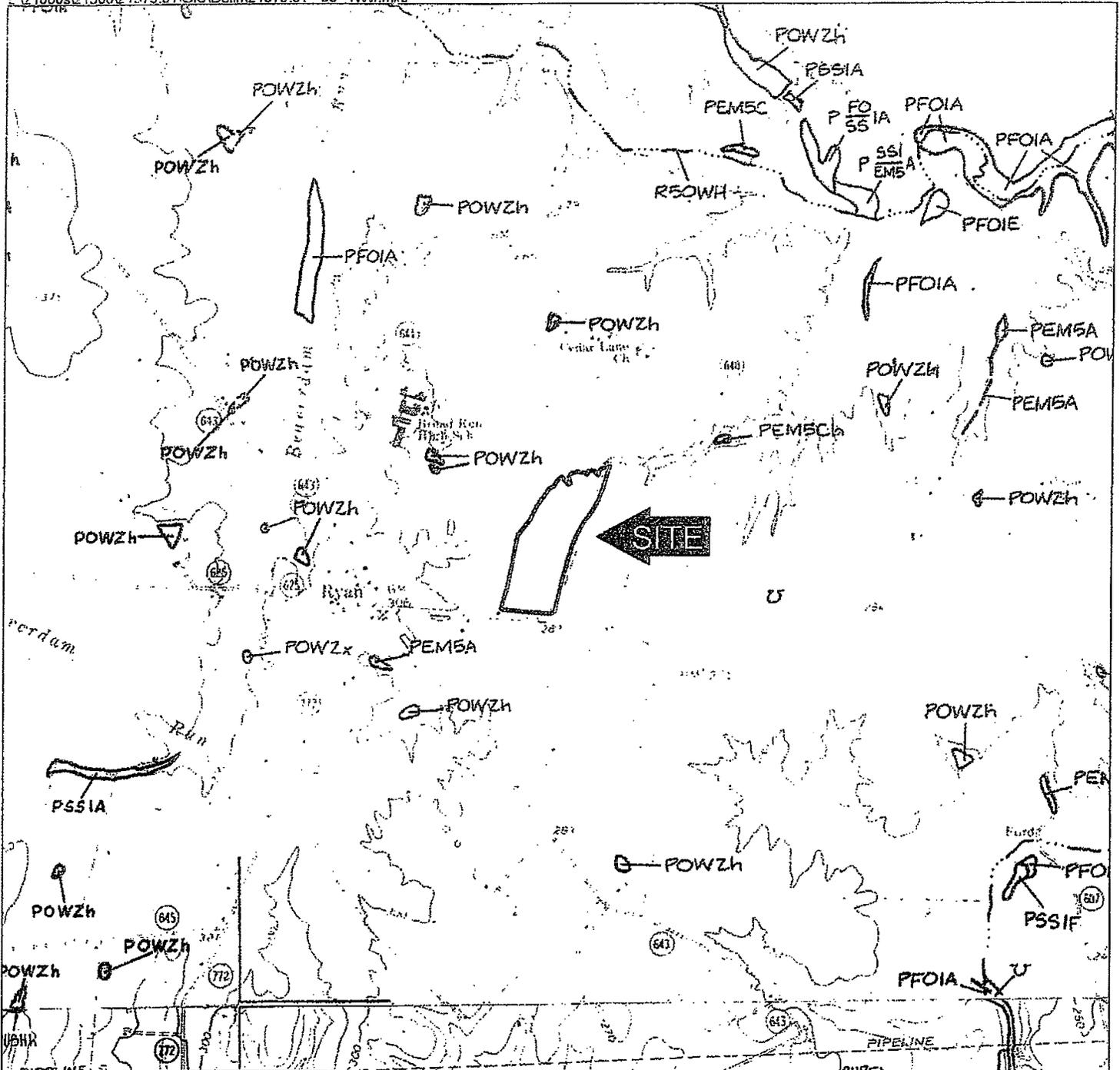




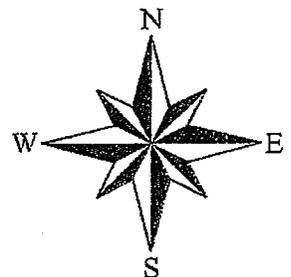
USGS Quad Map
Sterling, VA-MD 1994
Netway
WSSI #21375.01
Scale: 1" = 2000'

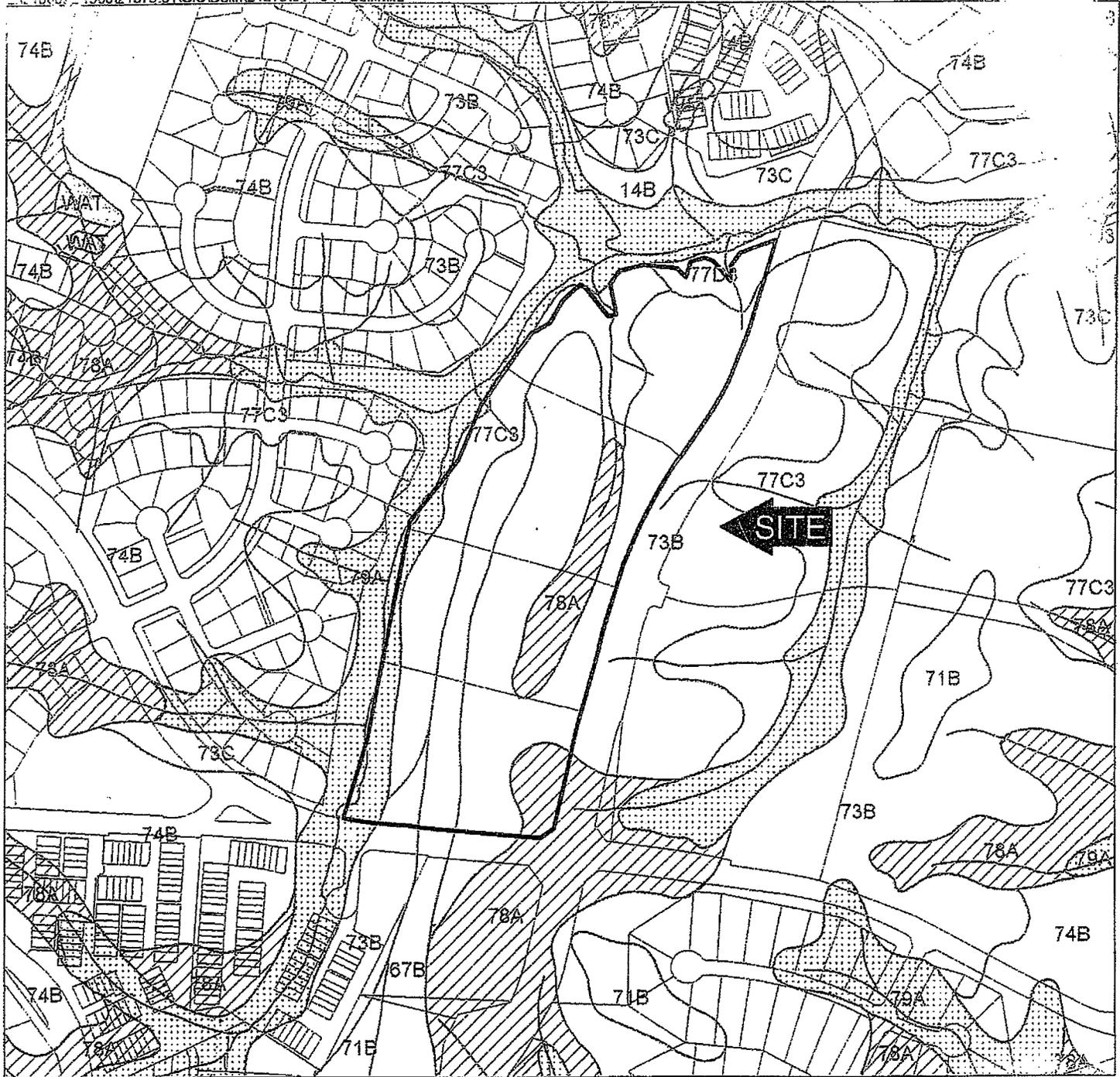


Latitude: 39°01'02" N
Longitude: 77°29'04" W
Hydrologic Unit Code (HUC): 02070008
Stream Class: III
Name of Watershed: Beaverdam Run

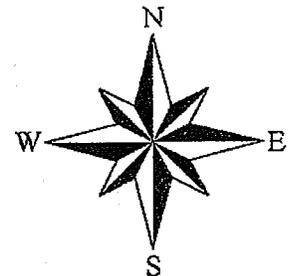


National Wetland Inventory Map
Sterling, VA-MD 1981
Netway
WSSI #21375.01
Scale: 1" = 2000'





Soils Map
Loudoun County Digital Data
Netway
WSSI #21375.01
Scale: 1" = 500'



-  Hydric Soils
-  Soils with Hydric Inclusions
-  Non-hydric Soils

MAPPED SOILS REPORT FOR NETWAY

Project No: 21375.0
 Applicant/Owner: Keane Enterprises
 County Name: Loudoun
 State: Virginia

Map Symbol	Map Unit Name	Taxonomy	Drainage Class	Hydric National List	Hydric Local List	Hydric Inclusions
67B	Haymarket And Jackland 2-8%	Typic Hapludalfs	moderately well drained	NO	NO	NO
73B	Penn Silt Loam 3-8%	Ultic Hapludalfs	well drained	NO	NO	NO
77D3	Nestoria Grvy Silt Lm Svryl Erd 15-25%	Ochreptic Hapludults	well - excessively drained	UNRANKED	NO	NO
78A	Dullies Silt Loam 0-3% Slope	Aquultic Hapludalfs	mod well - smwt poorly	NO	NO	ALBANO
79A	Albano Silt Loam 0-3% Slope	Typic Ochraqualfs	poorly drained	YES	YES	NO



Spring 2004 Color Infrared Imagery
Netway
WSSI #21375.01
Scale: 1" = 300'

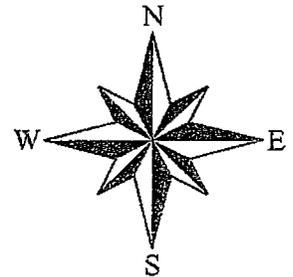


Photo Source: Wetland Studies and Solutions, Inc.



Summer 2004 Natural Color Imagery
Netway
WSSI #21375.01
Scale: 1" = 300'

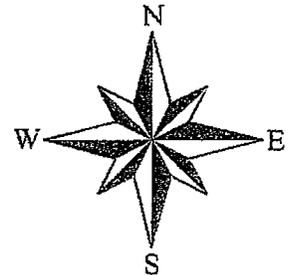


Photo Source: Aerials Express

DATA FORM
 ROUTINE WETLAND DETERMINATION
 (1987 COE Wetlands Delineation Manual)

Project/Site: Netway	Project No: 21375.01	Date: 10-Feb-2006
Applicant/Owner: Keane Enterprises		County: Loudoun
Investigators: Lynn S. Taylor, Jean M. Tufts		State: Virginia
		Plot ID: 1

SOILS

Map Unit Name (Series and Phase): Dulles Silt Loam 0-3% Slope	Mapped Hydric Inclusion? ALBANO
Map Symbol: 78A Drainage Class: mod well - smwt poorly	Field Observations Confirm Mapped Type? Yes <input type="radio"/> No <input checked="" type="radio"/>
Taxonomy (Subgroup): Aquultic Hapludalfs	
Profile Description	

Depth (inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Color (Munsell Moist)	Mottle Abundance/Contrast		Texture, Concretions, Structure, etc
0-3	A	7.5YR4/3	N/A	N/A	N/A	Silt loam, many fine roots
3-11	B1	7.5YR4/4	N/A	N/A	N/A	Silt loam, Mn concretions
11-16	B2	5YR4/4	N/A	N/A	N/A	Loam, gravel

Hydric Soil Indicators: <u>NO</u> Histosol <u>NO</u> Histic Epipedon <u>NO</u> Sulfidic Odor <u>NO</u> Aquic Moisture Regime <u>NO</u> Reducing Conditions <u>NO</u> Gleyed or Low Chroma Colors	<u>NO</u> Concretions <u>NO</u> High Organic Content in Surface Layer in Sandy Soils <u>NO</u> Organic Streaking in Sandy Soils <u>NO</u> Listed on Local Hydric Soils List <u>NO</u> Listed on National Hydric Soils List <u>NO</u> Other (Explain in Remarks)
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Remarks:
 The soil lacks a low-chroma matrix (i.e., chroma 1, chroma 2 with high-chroma mottles, or chroma 3 with high-chroma mottles in red parent material soil) immediately below the A horizon, and no other hydric soil indicators were observed. Therefore, the soil at this data point is not hydric.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	Is the Sampling Point within the Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	
Hydric Soils Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	

Remarks:
 None of the three wetland parameters are met at this location. This data point characterizes the non-wetland swale in the northern portion of the site.

Explanation for response to: Normal Circumstances? Atypical Situation? Potential Problem Area?
 Soils within this data site are derived from iron-rich red parent material that inhibits the manifestation of hydric soil characteristics, even under anoxic saturated conditions. The COE has considered areas having red parent material to be "Problem Areas" because the hydric soil indicators (i.e. low chroma matrix colors), as described in the 1987 Manual, are often not present in soils derived from red parent materials.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: Netway Applicant/Owner: Keane Enterprises Investigators: Lynn S. Taylor, Jean M. Tufts	Project No: 21375.01	Date: 17-Feb-2006 County: Loudoun State: Virginia Plot ID: 2
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Do Normal Circumstances exist on the site? Yes <input type="radio"/> No <input checked="" type="radio"/> Is the site significantly disturbed (Atypical Situation:)? Yes <input type="radio"/> No <input checked="" type="radio"/> Is the area a potential Problem Area? Yes <input checked="" type="radio"/> No <input type="radio"/> (If needed, explain on the reverse side)	Community ID: Non-wetland field Transect ID: East of C Field Location: 500 feet NW of intersection
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VEGETATION (USFWS Region No. 1)

Dominant Plant Species(Latin/Common)	Stratum	Indicator	Plant Species(Latin/Common)	Stratum	Indicator
<i>Arthraxon hispidus</i>	Herb	NI	<i>Ludwigia alternifolia</i>	Herb	FACW+
Arthraxon,Joint-Head			Seedbox,Bushy		
<i>Juncus effusus</i>	Herb	FACW+	<i>Echinochloa crusgalli</i>	Herb	FACW-*
Rush,Soft			Grass,Barnyard		

Percent of Dominant Species that are OBL, FACW or FAC: (excluding FAC-) 3/3 = 100.00%	FAC Neutral: 3/3 = 100.00% Numeric Index: 6/3 = 2.00
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Remarks:
 No tree, shrub or vine layers present. The percentage of dominant species rated FAC, FACW, or OBL is greater than 50%, indicating that this vegetative community is hydrophytic. *The FACU rating of *Echinochloa crusgalli* listed in the "National List" for Region 1 is incorrect. According to Porter Reed of the USFWS, this plant was actually given a rating of FACW-.

HYDROLOGY

<u>NO</u> Recorded Data(Describe in Remarks): <u>N/A</u> Stream, Lake or Tide Gauge <u>N/A</u> Aerial Photographs <u>N/A</u> Other <u>YES</u> No Recorded Data Field Observations Depth of Surface Water: = 1 (in.) Depth to Free Water in Pit: N/A (in.) Depth to Saturated Soil: N/A (in.)	Wetland Hydrology Indicators Primary Indicators <u>YES</u> Inundated <u>YES</u> Saturated in Upper 12 Inches <u>NO</u> Water Marks <u>NO</u> Drift Lines <u>NO</u> Sediment Deposits <u>NO</u> Drainage Patterns in Wetlands Secondary Indicators (2 or more required): <u>NO</u> Oxidized Root Channels in Upper 12 Inches <u>NO</u> Water-Stained Leaves <u>NO</u> Local Soil Survey Data <u>YES</u> FAC-Neutral Test <u>NO</u> Other (Explain in Remarks)
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Remarks:
 Wetland hydrology is supported by primary and secondary indicators of hydrology. However, the presence of surface water could be due to recent snow melt.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: Netway Applicant/Owner: Keane Enterprises Investigators: Lynn S. Taylor, Jean M. Tufts	Project No: 21375.01	Date: 17-Feb-2006 County: Loudoun State: Virginia Plot ID: 2
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SOILS

Map Unit Name (Series and Phase): Haymarket And Jackland 2-8%		Map Symbol: 67B		Drainage Class: moderately well drained	Mapped Hydric Inclusion? NO	
Taxonomy (Subgroup): Typic Hapludalfs				Field Observations Confirm Mapped Type? Yes <input type="radio"/> No <input checked="" type="radio"/>		
Profile Description						
Depth (inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Color (Munsell Moist)	Mottle Abundance/Contrast		Texture, Concretions, Structure, etc
0-8	A	7.5YR4/4	7.5YR5/8	Common	Distinct	Silt loam
8-16	B	7.5YR5/4	7.5YR5/8	Few	Distinct	Silt loam, with gravel
Hydric Soil Indicators:						
<u>NO</u> Histosol		<u>NO</u> Concretions				
<u>NO</u> Histic Epipedon		<u>NO</u> High Organic Content in Surface Layer in Sandy Soils				
<u>NO</u> Sulfidic Odor		<u>NO</u> Organic Streaking in Sandy Soils				
<u>NO</u> Aquic Moisture Regime		<u>NO</u> Listed on Local Hydric Soils List				
<u>NO</u> Reducing Conditions		<u>NO</u> Listed on National Hydric Soils List				
<u>NO</u> Gleyed or Low Chroma Colors		<u>NO</u> Other (Explain in Remarks)				
Remarks:						
The soil lacks a low-chroma matrix (i.e., chroma 1 or chroma 2 with mottles, or chroma 3 with high-chroma mottles in red parent material soil) immediately below the A horizon and no other hydric soil indicators were observed. Therefore, the soil is not hydric at this data point.						

WETLAND DETERMINATION

Hydrophytic Vegetation Present? <input checked="" type="radio"/> Yes <input type="radio"/> No Wetland Hydrology Present? <input checked="" type="radio"/> Yes <input type="radio"/> No Hydric Soils Present? <input type="radio"/> Yes <input checked="" type="radio"/> No	Is the Sampling Point within the Wetland? <input type="radio"/> Yes <input checked="" type="radio"/> No
Remarks:	
The absence of hydric soils indicates that this data point, representative of the non-wetland depressions present in the field on site, is not within a jurisdictional wetland.	

Explanation for response to: Normal Circumstances? <input type="radio"/> Atypical Situation? <input type="radio"/> Potential Problem Area? <input type="radio"/>
Soils within this data site are derived from iron-rich red parent material that inhibits the manifestation of hydric soil characteristics, even under anoxic saturated conditions. The COE has considered areas having red parent material to be "Problem Areas" because the hydric soil indicators (i.e. low chroma matrix colors), as described in the 1987 Manual, are often not present in soils derived from red parent materials.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: Netway Applicant/Owner: Keane Enterprises Investigators: Lynn S. Taylor, Jean M. Tufts	Project No: 21375.01	Date: 17-Feb-2006 County: Loudoun State: Virginia Plot ID: 3
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SOILS

Map Unit Name (Series and Phase): Albano Silt Loam 0-3% Slope Map Symbol: 79A Drainage Class: poorly drained Taxonomy (Subgroup): Typic Ochraqualfs Profile Description	Mapped Hydric Inclusion? NO Field Observations Confirm Mapped Type? Yes <input type="radio"/> No <input checked="" type="radio"/>
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Depth (inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Color (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc
0-4	A	7.5YR4/3	5YR4/6	Few Distinct	Silt loam, Many fine roots
4-8	Bt	7.5YR4/3	7.5YR4/6	Common Distinct	Silt loam
8-14	Btg	7.5YR4/4	7.5YR4/6	Few Distinct	Silty clay loam

Hydric Soil Indicators: <u>NO</u> Histosol <u>NO</u> Histic Epipedon <u>NO</u> Sulfidic Odor <u>NO</u> Aquic Moisture Regime <u>NO</u> Reducing Conditions <u>YES</u> Gleyed or Low Chroma Colors	<u>NO</u> Concretions <u>NO</u> High Organic Content in Surface Layer in Sandy Soils <u>NO</u> Organic Streaking in Sandy Soils <u>YES</u> Listed on Local Hydric Soils List <u>YES</u> Listed on National Hydric Soils List <u>NO</u> Other (Explain in Remarks)
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Remarks:
 A low-chroma matrix (i.e., chroma 1 or chroma 2 with mottles and including chroma 3 for the 7.5YR red parent material), immediately below the A horizon, indicates that the soil is hydric at this data point.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? <input checked="" type="radio"/> Yes <input type="radio"/> No Wetland Hydrology Present? <input checked="" type="radio"/> Yes <input type="radio"/> No Hydric Soils Present? <input checked="" type="radio"/> Yes <input type="radio"/> No	Is the Sampling Point within the Wetland? <input checked="" type="radio"/> Yes <input type="radio"/> No
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Remarks:
 All three wetland parameters were satisfied at this data point, which characterizes the palustrine forested wetland in the western portion of the site, and confirms that this data point is within a jurisdictional wetland.

Explanation for response to: Normal Circumstances? Atypical Situation ? Potential Problem Area ?

Soils within this data site are derived from iron-rich red parent material that inhibits the manifestation of hydric soil characteristics, even under anoxic saturated conditions. The COE has considered areas having red parent material to be "Problem Areas" because the hydric soil indicators (i.e. low chroma matrix colors), as described in the 1987 Manual, are often not present in soils derived from red parent materials.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: Netway Applicant/Owner: Keane Enterprises Investigators: Lynn S. Taylor, Jean M. Tufts	Project No: 21375.01	Date: 17-Feb-2006 County: Loudoun State: Virginia Plot ID: 4
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SOILS

Map Unit Name (Series and Phase): Albano Silt Loam 0-3% Slope Map Symbol: 79A Drainage Class: poorly drained Taxonomy (Subgroup): Typic Ochraqualfs Profile Description	Mapped Hydric Inclusion? NO Field Observations Confirm Mapped Type? Yes <input type="radio"/> No
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Depth (inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Color (Munsell Moist)	Mottle Abundance/Contrast		Texture, Concretions, Structure, etc
0-3	A	7.5YR3/3	N/A	N/A	N/A	Silt loam, Many fine roots
3-17	Bt	7.5YR4/3	N/A	N/A	N/A	Silt loam
17-20	Btg	7.5YR5/3	5YR4/6	Common	Distinct	Silty clay loam, with gravel

Hydric Soil Indicators: <u>NO</u> Histosol <u>NO</u> Histic Epipedon <u>NO</u> Sulfidic Odor <u>NO</u> Aquic Moisture Regime <u>NO</u> Reducing Conditions <u>NO</u> Gleyed or Low Chroma Colors	<u>NO</u> Concretions <u>NO</u> High Organic Content in Surface Layer in Sandy Soils <u>NO</u> Organic Streaking in Sandy Soils <u>YES</u> Listed on Local Hydric Soils List <u>YES</u> Listed on National Hydric Soils List <u>NO</u> Other (Explain in Remarks)
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Remarks:
 The soil lacks a low-chroma matrix (i.e., chroma 1 or chroma 2 with mottles, or chroma 3 with high-chroma mottles in red parent material soil) immediately below the A horizon and no other hydric soil indicators were observed. Therefore, the soil is not hydric at this data point.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Wetland Hydrology Present? Yes <input type="radio"/> No <input checked="" type="radio"/> Hydric Soils Present? Yes <input type="radio"/> No <input checked="" type="radio"/>	Is the Sampling Point within the Wetland? Yes <input type="radio"/> No <input checked="" type="radio"/>
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Remarks:
 The absence of all three wetland parameters indicates that this data point, representative of the non-wetland forested floodplain adjacent to the unnamed tributary to Beaverdam Run, is not within a jurisdictional wetland.

Explanation for response to: Normal Circumstances? Atypical Situation? Potential Problem Area?

Soils within this data site are derived from iron-rich red parent material that inhibits the manifestation of hydric soil characteristics, even under anoxic saturated conditions. The COE has considered areas having red parent material to be "Problem Areas" because the hydric soil indicators (i.e. low chroma matrix colors), as described in the 1987 Manual, are often not present in soils derived from red parent materials.

DATA FORM
ROUTINE WETLAND DETERMINATION
(1987 COE Wetlands Delineation Manual)

Project/Site: Netway Applicant/Owner: Keane Enterprises Investigators: Lynn S. Taylor, Jean M. Tufts	Project No: 21375.01	Date: 17-Feb-2006 County: Loudoun State: Virginia Plot ID: 5
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SOILS

Map Unit Name (Series and Phase): Nestoria Grvy Slt Lm Svrlly Erd 8-15%
Map Symbol: 77C3 **Drainage Class:** well - excessively drained **Mapped Hydric Inclusion?** NO
Taxonomy (Subgroup): Ochreptic Hapludults **Field Observations Confirm Mapped Type?** Yes No
Profile Description

Depth (inches)	Horizon	Matrix Color (Munsell Moist)	Mottle Color (Munsell Moist)	Mottle Abundance/Contrast	Texture, Concretions, Structure, etc
0-10	A	10YR5/4	N/A	N/A N/A	Silt loam
10-18	B	7.5YR4/4	N/A	N/A N/A	Clay

Hydric Soil Indicators:

<u>NO</u> Histosol	<u>NO</u> Concretions
<u>NO</u> Histic Epipedon	<u>NO</u> High Organic Content in Surface Layer in Sandy Soils
<u>NO</u> Sulfidic Odor	<u>NO</u> Organic Streaking in Sandy Soils
<u>NO</u> Aquic Moisture Regime	<u>NO</u> Listed on Local Hydric Soils List
<u>NO</u> Reducing Conditions	<u>NO</u> Listed on National Hydric Soils List
<u>NO</u> Gleyed or Low Chroma Colors	<u>NO</u> Other (Explain in Remarks)

Remarks:
 The soil lacks a low-chroma matrix (i.e., chroma 1, chroma 2 with high-chroma mottles, or chroma 3 with high-chroma mottles in red parent material soil) immediately below the A horizon, and no other hydric soil indicators were observed. Therefore, the soil at this data point is not hydric.

WETLAND DETERMINATION

Hydrophytic Vegetation Present? Yes <input checked="" type="radio"/> No Wetland Hydrology Present? Yes <input checked="" type="radio"/> No Hydric Soils Present? Yes <input checked="" type="radio"/> No	Is the Sampling Point within the Wetland? Yes <input checked="" type="radio"/> No
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Remarks:
 None of the three wetland parameters are present at this data point, which characterizes the upland field that covers the majority of the site.

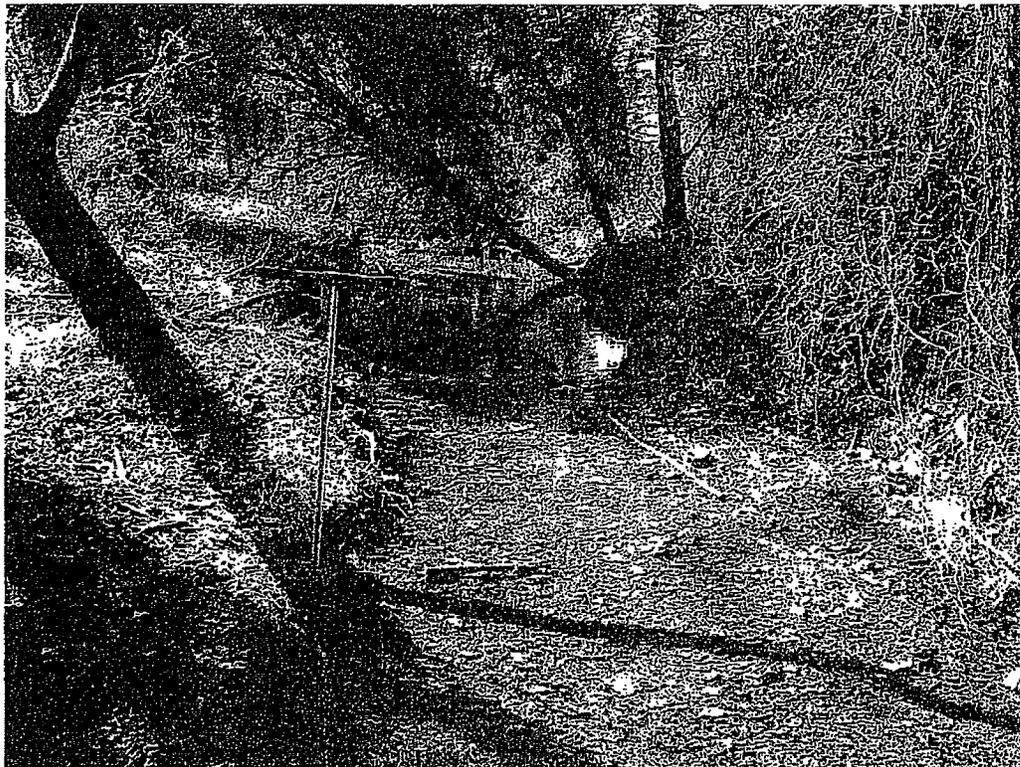
Explanation for response to: Normal Circumstances? Atypical Situation? Potential Problem Area?

Soils within this data site are derived from iron-rich red parent material that inhibits the manifestation of hydric soil characteristics, even under anoxic saturated conditions. The COE has considered areas having red parent material to be "Problem Areas" because the hydric soil indicators (i.e. low chroma matrix colors), as described in the 1987 Manual, are often not present in soils derived from red parent materials.

EXHIBIT 9
SITE PHOTOGRAPHS
NETWAY
WSSI #21375.01



1. **Data Point 3, looking north. This data point characterizes the PFO wetland within the floodplain of the unnamed tributary to Beaverdam Run along the western boundary of the site.**



2. **Stream Reach A, looking upstream. This stream achieved scores of 24.5 with the Fairfax County method and 32.0 with the NCDWQ method. Although these scores fall within 3 points of the perennial threshold, WSSI's observations of an absence of any biological indicators of perennial flow, indicate that this stream is likely intermittent.**

EXHIBIT 9
SITE PHOTOGRAPHS
NETWAY
WSSI #21375.01

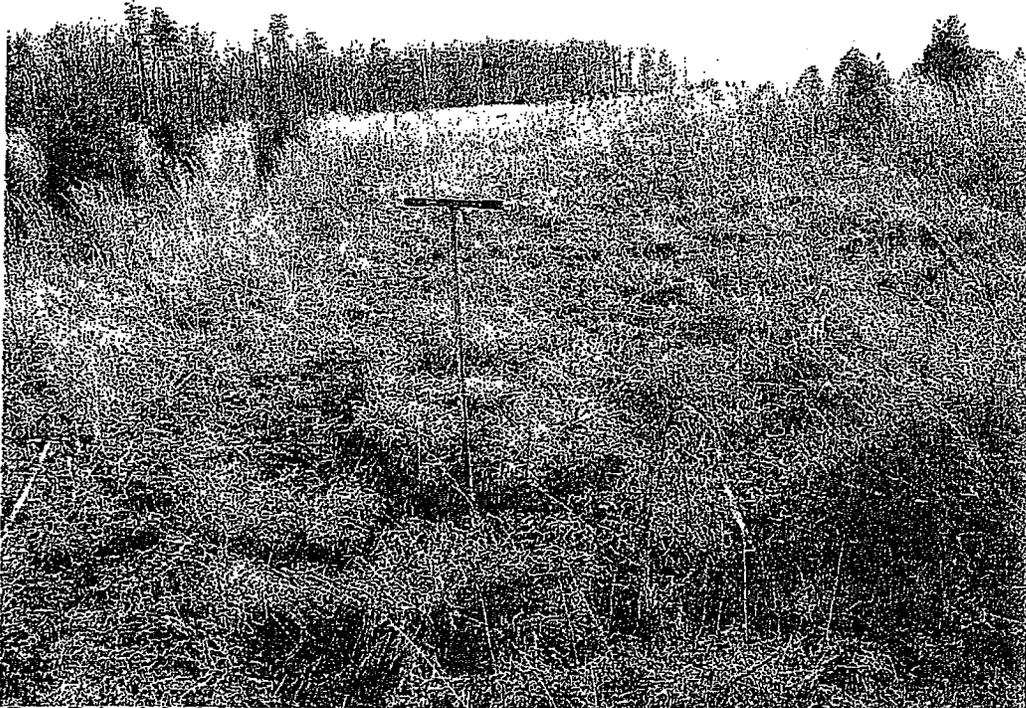


3. **Stream Reach B, looking upstream. This stream flows to the northwest in the northern portion of the site, into the stormwater pond to the north of the site. Based on the scores obtained using the NCDWQ and the Fairfax County methods, which fall below the intermittent/perennial threshold, combined with WSSI's observations of a benthic macroinvertebrate community of sow bugs and flatworms, and the absence of biological indicators of perennial flow, this stream is likely intermittent.**



4. **A pond is present off-site, along the northern border of the site. This pond has been constructed in-line with a stream, and thus is considered jurisdictional waters of the U.S.**

EXHIBIT 9
SITE PHOTOGRAPHS
NETWAY
WSSI #21375.01



5. **Data Point 1, looking south. This data point characterizes a non-wetland swale in the field. This data point lacked a hydrophytic plant community and hydric soil at the time of this study, and although standing water was observed in small areas, in WSSI's opinion saturated conditions are not present for a sufficient duration during the growing season to actually support wetland hydrology.**

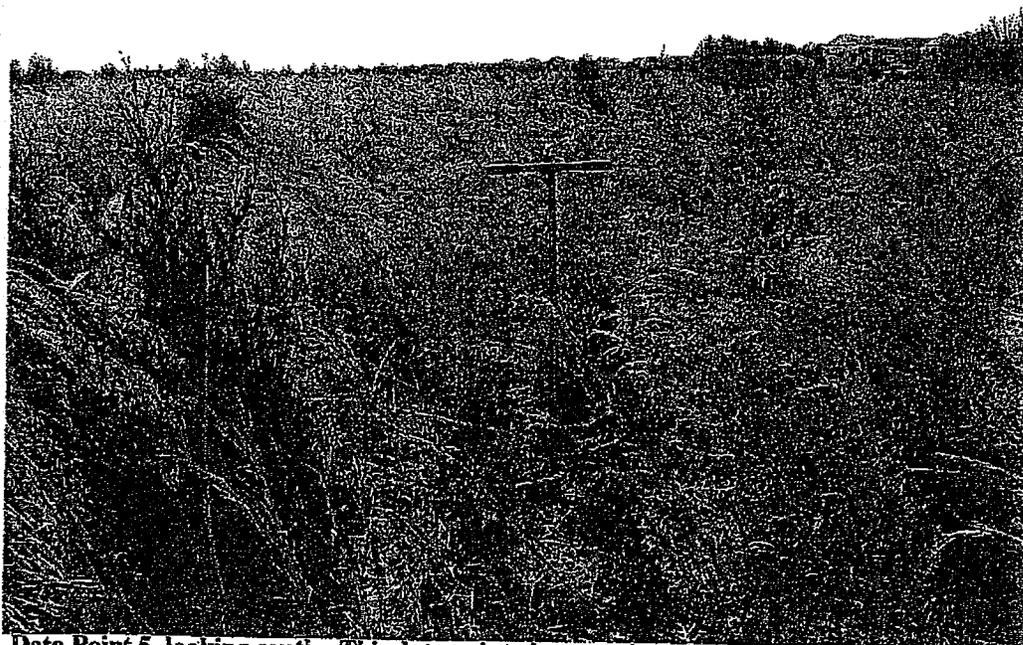


6. **Data Point 2, looking northeast. This data point characterizes a non-wetland depression in the field. There was evidence of hydrology and a hydrophytic plant community, but the soils were not hydric.**

**EXHIBIT 9
SITE PHOTOGRAPHS
NETWAY
WSSI #21375.01**



7. **Data Point 4, looking south. This data point characterizes the non-wetland floodplain associated with the unnamed tributary to Beaverdam Run along the western boundary of the site.**



8. **Data Point 5, looking south. This data point characterizes the non-wetland field which comprises the majority of the site.**

WSSI STREAM EVALUATION DATA FORM

Project Name: NETWAY	Field Location: Flag A-34 to A-54
WSSI Project No: 21375.01	Stream Reach ID: A
Evaluator: Lynn Taylor, Jean Tufts	Date: 2/17/06

The WSSI Stream Evaluation Data Form is based on the NCDWQ Identification Methods for the Origins of Intermittent and Perennial Streams, Version 3.1 (February 28, 2005) and the Fairfax County DPWES Perennial Stream Field Identification Protocol (May 2003). Letters and numbers following each indicator refer to the original form and question number from which each indicator was derived. ("F" = Fairfax County DPWES stream assessment form; "NC" = NCDWQ Stream Identification Form)

Field Indicators:

I. Geomorphology	Absent	Weak	Moderate	Strong	Score
1) Riffle-Pool Sequence (F-II.1/NC-3)	0	1	2	3	3
2) Substrate Sorting/Soil Texture (F-II.2/NC-4)	0	1	2	3	2
3) Natural Levees (F-II.3/NC-9)	0	1	2	3	0
4) Sinuosity (F-II.4/NC-2)	0	1	2	3	2
5) Active or Relic Floodplain (F-II.5/NC-5)	0	1	2	3	1
6) Braided Channel (F-II.6/NC-7)	0	1	2	3	0
7) Recent Alluvial Deposits (F-II.7/NC-8)	0	1	2	3	1
8) Bankfull Bench, Depositional Bars or Benches (F-II.8/NC-6)	0	1	2	3	2
9) Continuous Bed & Bank (F-II.9/NC-1)	0	1	2	3	3
<i>(NOTE: If Bed & Bank Caused By Ditching And WITHOUT Sinuosity Then Score=0)</i>					
10) 2 nd Order Or Greater Channel (As Indicated On Topo Map <i>And/Or</i> In Field) (F-II.10/NC-13)		Yes = 3	No = 0		0
11) Head Cuts (NC-10)	0	1	2	3	0
12) Grade Controls (NC-11)	0	0.5	1	1.5	1
13) Natural Valley or Drainageway? (NC-12)	0	0.5	1	1.5	0.5
NCDWQ GEOMORPHOLOGY INDICATOR POINTS:					15.5
FAIRFAX GEOMORPHOLOGY INDICATOR POINTS:					14

II. Hydrology and Streamflow	Absent	Weak	Moderate	Strong	Score
1) High Groundwater Table, Seeps and Springs, or Groundwater Flow/Discharge (F-I.2/NC-14)	0	1	2	3	1
2) Leaf litter in Streambed (F-I.3/NC-16)	1.5	1	0.5	0	1
3) Sediment on Plants or Debris (F-I.5/NC-17)	0	0.5	1	1.5	0.5
4) Drift Lines/Organic Debris Lines or Piles (Wrack Lines) (F-I.4/NC-18)	0	0.5	1	1.5	0.5
5) Flowing Water In Channel <i>And</i> >48 Hrs. Since Last Known Rain?					
(F-I.1)	0	1	2	3	3
(NC-15)	0	1	2	3	3
Date/Amount of Last Rainfall	02/12/06, 0.4"		Water Depth: 1" riffles, 10" pools		
<i>(NOTE: If Ditch Indicated In #9 Above Skip This Step)</i>					
6) Hydric Soils Present in Sides of Channel (or in Headcut) or Well Developed Hydric Indicators in the Hyporheic Zone (NC-19)		Yes = 1.5	No = 0		1.5
NCDWQ HYDROLOGY INDICATOR POINTS:					7.5
FAIRFAX HYDROLOGY INDICATOR POINTS:					6

III. Streambed Soils	Score
1) Redoximorphic Features Present In Streambed* (F-III.1)	Present = 0 Absent = 1.5
2) Chroma Of Streambed* (F-III.2)	Gleyed = 3 Chroma 1 = 2 Chroma 2 = 1 Chroma >2 = 0
TOTAL FAIRFAX STREAMBED SOILS POINTS:	
	1.5

*NOTE: The Fairfax County Field Identification Protocol (May 2003) defines the procedure for assessing streambed soils, however the Fairfax County stream assessment form uses the phrase "sides of channel or head cut". Therefore, on this form, the phrase "sides of channel or headcut" has been replaced with the term "Streambed".

WSSI STREAM EVALUATION DATA FORM

Project Name: NETWAY
 WSSI Site: 21375.01
 Evaluator: Lynn Taylor, Jean Tufts

Field Location: Flag A-34 to A-54
 Stream Reach ID: A
 Date: 2/17/06

IV. Biology	Absent	Weak	Moderate	Strong	Score
1) Bivalves (F-V.2/NC-23)	0	1	2	3	0
2) Fish (F-VI.1/NC-24)	0	0.5	1	1.5	0
3) Amphibians (F-VI.2/NC-25)	0	0.5	1	1.5	0
4) Benthic Macroinvertebrates (F-V.1/NC-26)	0	0.5	1	1.5	0
5) Iron Oxidizing Bacteria/Fungus (F-IV.3/NC-28)	0	0.5	1	1.5	0
6) Periphyton/Green Algae (F-IV.2/NC-27)	0	1	2	3	3
7) Fibrous Roots Present In Channel (NC-20)	3	2	1	0	3
8) Rooted Plants Present In Channel (NC-21)	3	2	1	0	3
9) Crayfish (NC-22)	0	0.5	1	1.5	0
10) Rooted AQUATIC Plants in Streambed (F-IV.1)	0	1	2	3	0
11) Wetland Plants In Streambed	Mostly: SAV OBL FACW FAC FACU/UPL/NO PLANTS				
(NC-29)*	2	1.5	.75	0.5	0
(F-IV.4)	3	1.5	1	0.5	0
(* NOTE: If Total Absence Of All Plants In Streambed As Noted Above Skip This Step UNLESS SAV Present *).					
12) EPT taxa (F-V.3)	Present = 3 Absent = 0				0
NCDWQ BIOLOGY INDICATOR POINTS:					9
FAIRFAX BIOLOGY INDICATOR POINTS:					3

Vegetation Comments: None

Benthics/Amphibians Found: None

TOTAL NCDWQ POINTS =

32

(Based on NCDWQ methodology and field trials, the stream is at least intermittent if greater than or equal to 19 points or perennial if greater than or equal to 30 points.)

TOTAL FAIRFAX COUNTY POINTS =

24.5

(Based on a Fairfax County pilot survey, the stream is perennial if greater than or equal to 25 points.)

Decision: Based on the scores obtained using the NCDWQ and the Fairfax County methods, which fall below the intermittent/perennial threshold, coupled with WSSI's observations of an absence of any biological indicators of perennial flow, this stream is determined to be intermittent.

WSSI STREAM EVALUATION DATA FORM

Project Name: NETWAY
 WSSI Project No: 21375.01
 Evaluator: Lynn Taylor, Jean Tufts

Field Location: Flag A-116 to A-139
 Stream Reach ID: B
 Date: 2/10/06

The WSSI Stream Evaluation Data Form is based on the NCDWQ Identification Methods for the Origins of Intermittent and Perennial Streams, Version 3.1 (February 28, 2005) and the Fairfax County DPWES Perennial Stream Field Identification Protocol (May 2003). Letters and numbers following each indicator refer to the original form and question number from which each indicator was derived. ("F" = Fairfax County DPWES stream assessment form; "NC" = NCDWQ Stream Identification Form)

Field Indicators:

I. Geomorphology	Absent	Weak	Moderate	Strong	Score
1) Riffle-Pool Sequence (F-II.1/NC-3)	0	1	2	3	2
2) Substrate Sorting/Soil Texture (F-II.2/NC-4)	0	1	2	3	2
3) Natural Levees (F-II.3/NC-9)	0	1	2	3	0
4) Sinuosity (F-II.4/NC-2)	0	1	2	3	1
5) Active or Relic Floodplain (F-II.5/NC-5)	0	1	2	3	1
6) Braided Channel (F-II.6/NC-7)	0	1	2	3	0
7) Recent Alluvial Deposits (F-II.7/NC-8)	0	1	2	3	1
8) Bankfull Bench, Depositional Bars or Benches (F-II.8/NC-6)	0	1	2	3	1
9) Continuous Bed & Bank (F-II.9/NC-1)	0	1	2	3	2
<i>(NOTE: If Bed & Bank Caused By Ditching And WITHOUT Sinuosity Then Score=0)</i>					
10) 2 nd Order Or Greater Channel (As Indicated On Topo Map <i>And/Or</i> In Field) (F-II.10/NC-13)		Yes=3	No=0		0
11) Head Cuts (NC-10)	0	1	2	3	0
12) Grade Controls (NC-11)	0	0.5	1	1.5	1
13) Natural Valley or Drainageway? (NC-12)	0	0.5	1	1.5	0.5
NCDWQ GEOMORPHOLOGY INDICATOR POINTS:					11.5
FAIRFAX GEOMORPHOLOGY INDICATOR POINTS:					10

II. Hydrology and Streamflow	Absent	Weak	Moderate	Strong	Score
1) High Groundwater Table, Seeps and Springs, or Groundwater Flow/Discharge (F-I.2/NC-14)	0	1	2	3	1
2) Leaf litter in Streambed (F-I.3/NC-16)	1.5	1	0.5	0	1
3) Sediment on Plants or Debris (F-I.5/NC-17)	0	0.5	1	1.5	0.5
4) Drift Lines/Organic Debris Lines or Piles (Wrack Lines) (F-I.4/NC-18)	0	0.5	1	1.5	0.5
5) Flowing Water In Channel <i>And</i> >48 Hrs. Since Last Known Rain?					
(F-I.1)	0	1	2	3	3
(NC-15)	0	1	2	3	3
Date/Amount of Last Rainfall 01/31/06, 0.03"					
				Water Depth: 1/2" Riffles to 3" Pools	
<i>(NOTE: If Ditch Indicated In #9 Above Skip This Step)</i>					
6) Hydric Soils Present in Sides of Channel (or in Headcut) or Well Developed Hydric Indicators in the Hyporheic Zone (NC-19)		Yes=1.5	No=0		0
NCDWQ HYDROLOGY INDICATOR POINTS:					6
FAIRFAX HYDROLOGY INDICATOR POINTS:					6

III. Streambed Soils					Score
1) Redoximorphic Features Present In Streambed* (F-III.1)	Present = 0	Absent = 1.5			1.5
2) Chroma Of Streambed* (F-III.2)	Gleyed = 3	Chroma 1 = 2	Chroma 2 = 1	Chroma >2 = 0	0
TOTAL FAIRFAX STREAMBED SOILS POINTS:					1.5

*NOTE: The Fairfax County Field Identification Protocol (May 2003) defines the procedure for assessing streambed soils, however the Fairfax County stream assessment form uses the phrase "sides of channel or head cut". Therefore, on this form, the phrase "sides of channel or headcut" has been replaced with the term "Streambed".

WSSI STREAM EVALUATION DATA FORM

Project Name: NETWAY	Field Location: Flag A-116 to A-139
WSSI Site: 21375.01	Stream Reach ID: B
Evaluator: Lynn Taylor, Jean Tufts	Date: 2/10/06

IV. Biology	Absent	Weak	Moderate	Strong	Score
1) Bivalves (F-V.2/NC-23)	0	1	2	3	0
2) Fish (F-VI.1/NC-24)	0	0.5	1	1.5	0
3) Amphibians (F-VI.2/NC-25)	0	0.5	1	1.5	0
4) Benthic Macroinvertebrates (F-V.1/NC-26)	0	0.5	1	1.5	0
5) Iron Oxidizing Bacteria/Fungus (F-IV.3/NC-28)	0	0.5	1	1.5	0
6) Periphyton/Green Algae (F-IV.2/NC-27)	0	1	2	3	3
7) Fibrous Roots Present In Channel (NC-20)	3	2	1	0	1
8) Rooted Plants Present In Channel (NC-21)	3	2	1	0	2
9) Crayfish (NC-22)	0	0.5	1	1.5	0
10) Rooted AQUATIC Plants in Streambed (F-IV.1)	0	1	2	3	0
11) Wetland Plants In Streambed	Mostly: SAV OBL FACW FAC FACU/UPL/NO PLANTS				
(NC-29)*	2	1.5	.75	0.5	0
(F-IV.4)	3	1.5	1	0.5	0
(* NOTE: If Total Absence Of All Plants In Streambed As Noted Above Skip This Step UNLESS SAV Present *)					
12) EPT taxa (F-V.3)	Present = 3 Absent = 0				0
NCDWQ BIOLOGY INDICATOR POINTS:					6
FAIRFAX BIOLOGY INDICATOR POINTS:					3

Vegetation Comments: Poa sp. growing in channel.

Benthics/Amphibians Found: Few aquatic sow bugs (Order: Isopoda) and flatworms (Class: Turbellaria) present.

TOTAL NCDWQ POINTS = 23.5

(Based on NCDWQ methodology and field trials, the stream is at least intermittent if greater than or equal to 19 points or perennial if greater than or equal to 30 points.)

TOTAL FAIRFAX COUNTY POINTS = 20.5

(Based on a Fairfax County pilot survey, the stream is perennial if greater than or equal to 25 points.)

Decision: Based on the scores obtained using the NCDWQ and the Fairfax County methods, which fall below the intermittent/perennial threshold, combined with WSSI's observations of a benthic macroinvertebrate community dominated by sow bugs, flatworms, and the absence of other biological indicators of perennial flow, this stream is determined to be intermittent.

Week Ending February 11, 2006

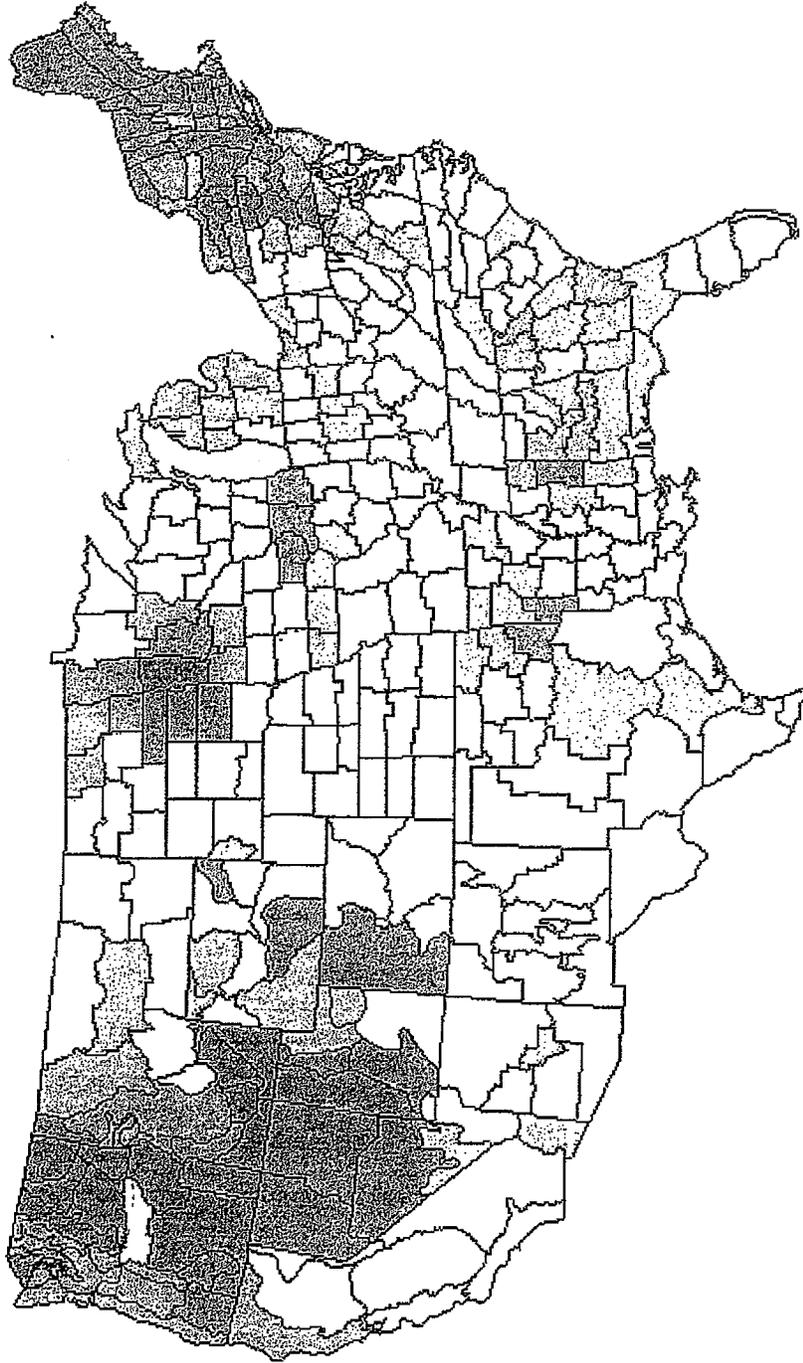


Image source: www.cpc.ncep.noaa.gov

Images Not to Scale

Weekly Drought Value

-  -4.0 or less (Extreme Drought)
-  -3.0 to -3.9 (Severe Drought)
-  -2.0 to -2.9 (Moderate Drought)
-  -1.9 to +1.9 (Near Normal)
-  +2.0 to +2.9 (Unusual Moist Spell)
-  +3.0 to +3.9 (Very Moist Spell)
-  +4.0 and above (Extremely Moist)

Drought Severity Index by Division

Long Term Palmer

Climate prediction center, NOAA



United States Drought Monitor Map

Week Ending February 7, 2006

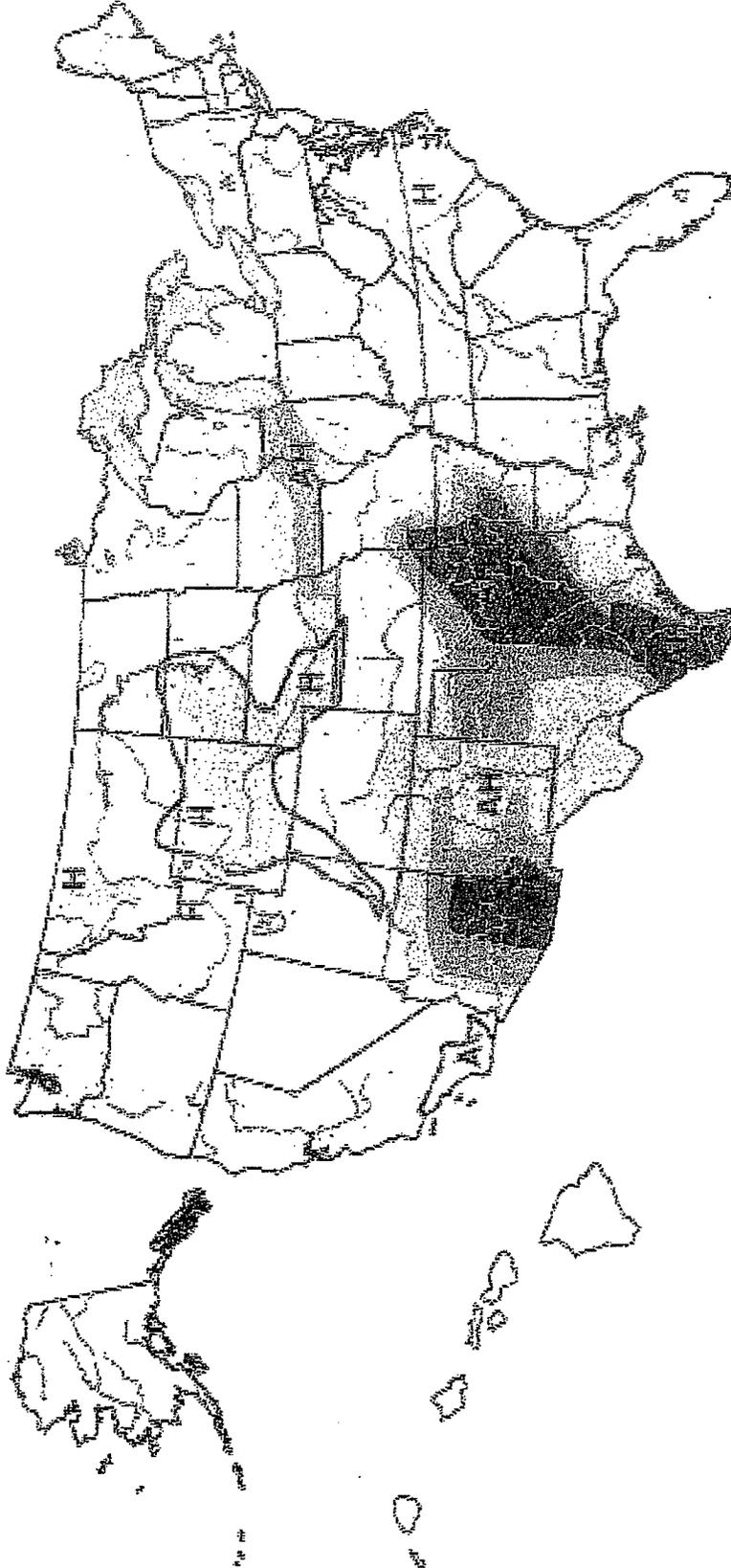


Image Not to Scale
 Map source: <http://www.drought.unl.edu/>

Intensity

- D0 - Abnormally Dry
- D1 - Drought - Moderate
- D2 - Drought - Severe
- D3 - Drought - Extreme
- D4 - Drought - Exceptional

*Note: The Drought Monitor focuses on broad scale conditions.

Drought Impact Types

- Hydrological (water)
- Wildfire Danger

*Note: Local conditions may vary

