



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 7/1/2020

ORM Number: SAJ-2020-00999

Associated JDs: N/A

Review Area Location¹: State/Territory: Florida City: St. Augustine Beach County/Parish/Borough: St. Johns

Center Coordinates of Review Area: Latitude 29.848451 Longitude -81.277301

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

| § 10 Name | § 10 Size | § 10 Criteria | Rationale for § 10 Determination |
|-----------|-----------|---------------|----------------------------------|
| N/A. | N/A. | N/A. | N/A. |

C. Clean Water Act Section 404

| Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³ | | | |
|---|-------------|-----------------|------------------------------------|
| (a)(1) Name | (a)(1) Size | (a)(1) Criteria | Rationale for (a)(1) Determination |
| N/A. | N/A. | N/A. | N/A. |

| Tributaries ((a)(2) waters): | | | |
|------------------------------|-------------|-----------------|------------------------------------|
| (a)(2) Name | (a)(2) Size | (a)(2) Criteria | Rationale for (a)(2) Determination |
| N/A. | N/A. | N/A. | N/A. |

| Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters): | | | |
|---|-------------|-----------------|------------------------------------|
| (a)(3) Name | (a)(3) Size | (a)(3) Criteria | Rationale for (a)(3) Determination |
| N/A. | N/A. | N/A. | N/A. |

| Adjacent wetlands ((a)(4) waters): | | | |
|------------------------------------|-------------|-----------------|------------------------------------|
| (a)(4) Name | (a)(4) Size | (a)(4) Criteria | Rationale for (a)(4) Determination |
| N/A. | N/A. | N/A. | N/A. |

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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D. Excluded Waters or Features

| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | | |
|--|----------------|---------|------------------------------|--|
| Exclusion Name | Exclusion Size | | Exclusion ⁵ | Rationale for Exclusion Determination |
| 202000999 W-1 | 0.03 | acre(s) | (b)(1) Non-adjacent wetland. | <p>This wetland meets the Navigable Waters Protection Rule definition of a wetland in (c)(16): it is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. However, this wetland is excluded from being a water of the United States and is not jurisdictional to the Corps because it is not adjacent to a water of the United States under the 4 adjacency criteria. The wetland is not a territorial sea, it is not a lake or pond or impoundment of a jurisdictional water, it is not a tributary, and it is not adjacent to any of the jurisdictional waters above. This non adjacency and non jurisdictional status is supported by the following data submitted by the applicant:</p> <ol style="list-style-type: none"> 1. Figure 2: National Wetlands Inventory Map – There are no wetlands identified on site. 2. Figure 3: Soils Map: Neither Pits or Palm Beach Sand have a hydric soil rating. 3. Figure 4: Elevation/Hydrologic Features Exhibit – Shows the wetland feature and there are no connections to other waterbodies by estuaries or ditches. There are no culverts near the site. Elevations are high around the north, west, and south side of the wetland with an area to the east that looks to be of lower elevation; however there is no connection to that elevation. 4. Figure 5: 1942 aerial – the area is in sandy, white soils to the north, west and east, but there is no connection to any water body seen on site. 5. Figure 6: 1952 aerial imagery-The area has a white sandy road to the west and sandy area to the east. There is no connection to a water at the site. 6. Figure 7. There is an established road to the west; there is no connection to a water at the site. 7. Figure 8: 1971 aerial imagery – There are |

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | |
|--|----------------|------------------------|---|
| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination |
| | | | sandy soils and no connection to a water body through the road to the west or anywhere to the east or north; to the south there is the beginning of a borrow area out of non jurisdictional waters. 8. Figure 9: Color infrared from 1984 shows white sandy soil and there is no darker wetland signature on the map. 9. Figure 9: HUC 8 Daytona-St. Augustine Map: shows the watershed subbasin. 10. Figure 10: HUC 12: Shows the Anastasia Island Atlantic Ocean subbasin watershed map. |

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: [Wetland Data Sheets submitted by the consultant, collected January 15, 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The data sheets delineate the extent of wetlands on the property.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: Aerial Imagery Map – Elevation/Hydrologic Features: Figure 4, Aerial Imagery Map – 1942: Figure 5, Aerial Imagery Map – 1952: Figure 6, Aerial Imagery Map – 1960: Figure 7, Aerial Imagery Map – 1971: Figure 8, Aerial Imagery Map – 1984 Infrared: Figure 9](#)
- Corps site visit(s) conducted on: [N/A](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Figure 3: February 21, 2020](#)
- USFWS NWI maps: [Figure 2: February 21, 2020](#)
- USGS topographic maps: [Figure 11: February 21, 2020](#)

Other data sources used to aid in this determination:

| Data Source (select) | Name and/or date and other relevant information |
|--|---|
| USGS Sources | N/A. |
| USDA Sources | N/A. |
| NOAA Sources | N/A. |
| USACE Sources | N/A. |
| State/Local/Tribal Sources | N/A. |
| Other Sources | N/A. |

B. Typical year assessment(s): [N/A](#)

C. Additional comments to support AJD: [N/A](#)