



**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): 9/2/2020
 ORM Number: SAJ-2014-03595
 Associated JDs: SAJ-2014-03595 (AJD completed May 02, 2019, for Phase 1 east of review area); SAJ-2014-03595 Preliminary JD for separate Phase 2 review area to the north, completed August 21, 2020.
 Review Area Location¹: State/Territory: Florida City: Haines City County/Parish/Borough: Polk
 Center Coordinates of Review Area: Latitude 28.175115° Longitude -81.655136°

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 or describe rationale.
- 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
W1B	0.24	acre(s)	(b)(1) Non-adjacent wetland.	Historical aerials indicate that the wetland has been isolated in the surrounding upland pasture since the land was converted for grazing in the 1950s-1960s. The soil hydric rating for the area surrounding the wetland is only hydric 1-32%. FLUCCS maps show the area as upland pasture land. Topo maps from 1959 and present, as well as the National Hydrographic Dataset and National Wetland Inventory do not indicate any physical connection with off-site waters. This shallow wetland depression in the pasture is physically remote and hydrologically isolated in the landscape from any (a)(1)-(a)(3) waters.
W2	4.59	acre(s)	(b)(1) Non-adjacent wetland.	Historical aerials indicate that the wetland has been isolated in the surrounding upland pasture since the land was converted for grazing in the 1950s-1960s. The soil hydric rating for the area surrounding the wetland is not hydric (0%). FLUCCS maps show the area around the wetland as upland pasture land. Topo maps from 1959 and present, as well as the National Hydrographic Dataset and National Wetland Inventory do not indicate any physical connection with off-site waters. The land east of this wetland was previously determined to contain no waters of the U.S. in AJD for SAJ-2014-03595 completed on May 02, 2019. This land area to the east is hydrologically considered a “closed basin” by the Southwest Florida Water Management District. This wetland is physically remote and hydrologically isolated in the landscape from any (a)(1)-(a)(3) waters.

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: **Title(s) and date(s)**
This information **Select.** sufficient for purposes of this AJD.
Rationale: **N/A or describe rationale for insufficiency (including partial insufficiency).**
- Data sheets prepared by the Corps: **Title(s) and/or date(s).**
- Photographs: **Aerial: Available Google Earth aerials viewed in Google Earth Pro (1995-2019);**

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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- Corps site visit(s) conducted on: [Date\(s\)](#).
- Previous Jurisdictional Determinations (AJDs or PJDs): [SAJ-2014-03595 for Phase 1, east of review area, completed May 02, 2019.](#)
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: [Submitted with JD request.](#)
- USFWS NWI maps: [NWI data viewed through Google Earth Pro.](#)
- USGS topographic maps: [Earth Point topo map viewed in Google Earth Pro; 1959 USGS topo accessed at <https://livingatlas.arcgis.com/topoexplorer/index.html>.](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS/WBD/NHD data/maps	NHD data viewed in The National Map (https://viewer.nationalmap.gov/); NHD flowlines data viewed in Google Earth.
USDA Sources	Hydric Rating by Map Unit accessed in https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.
NOAA Sources	N/A.
USACE Sources	N/A.
LiDAR data/maps	LiDAR data from South Florida Water Management District, viewed in https://www.arcgis.com/home/webmap/viewer.html.
Other Sources	N/A.

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

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