



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): 11-AUG-2020

ORM Number: SAJ-2014-02483

Associated JDs: N/A

Review Area Location¹: State/Territory: FL City: St. Johns County/Parish/Borough: St. Johns

County Center Coordinates of Review Area: Latitude 30.009755 Longitude -81.549713

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
201402483 J-1	64.16 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland, known as Molasses Branch (reference Attachment 2), abuts a perennial tributary known as Trout Creek, which becomes a traditional navigable

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 and 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 independent 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.

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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			<p>waterway when it is subject to the ebb and flow of the tide. (reference Attachment 1 and 5).</p> <p>Attachment 1 – Quadrangle map shows the full extent of the wetland system and the offsite tributaries. Attachment 2 – Topographic Map shows the names of the wetland system and the connection of the wetlands and tributaries offsite. Attachment 3 – Soils Maps shows the soils of the wetland are continuous. Attachment 4 – HUC 8 maps shows the drainage of the onsite and offsite wetlands into the traditional navigable waterway. Attachment 5 – National Wetlands Map (NWI) shows the wetland systems as it flows from palustrine-forested wetland to riverine to estuarine. Attachment 6 – National Hydrologic dataset shows the tributary section of Trout Creek. Attachment 7 – Land Use Classifications Map shows onsite land a classification showing the wetland system continues offsite. Attachment 8 – APC shows that the delineation occurred during normal climatic conditions. Attachment 9 – Wetland delineation showing the extent of wetlands within the review area and the paired wetland determination points.</p>
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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
201402483 E-1	0.85 acres	(b)(1) Non-adjacent wetland	<p>Physically isolated wetland system.</p> <p>Attachment 3 – Soils Map shows a hydric soil type surrounded by a less hydric soil type. Attachment 5- NWI shows a palustrine system surrounded by uplands. Attachment 6 – NHD shows no connection of the non-adjacent wetland to downstream waters. Attachment 7 – Land Use Classification Map shows a wetland coniferous forest surrounded by an upland pine plantation. Attachment 9 – Wetland delineation shows the full extent of the physically isolated wetland system and the paired wetland determination points.</p>

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: *Location Map (Attachment 1), Wetland Determination Forms July 17, 2020 (Attachment 10), Wetland Delineation*

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September 2014 (Attachment 9), Land Classifications April 26, 2020 (Attachment 7)
This information *is* sufficient for purposes of this AJD.

- Previous Jurisdictional Determinations (AJDs or PJDs): *20 October 2014*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B. (Attachment 8)*
- USDA NRCS Soil Survey: *Web Soil Survey April 16, 2020 (Attachment 3)*
- USFWS NWI maps: *NWI Map August 11, 2020 (Attachment 5)*
- USGS topographic maps: *USGS Topographic Map August 11, 2020 (Attachment 2)*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
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- B. Typical year assessment(s):** The wetland delineation occurred during a normal precipitation period and the Trout River was flowing as a perennial stream until it became subject to the ebb and flow of the tide.
- C. Additional comments to support AJD:** Trout Creek is considered a traditional navigable waterway because it is subject to the ebb and flow of the tide and therefore is jurisdictional. Furthermore, it is listed on the *Jacksonville District Navigable Waters List*.

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