



**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): 9/11/2020

ORM Number: SAJ-2020-02398

Associated JDs: N/A

Review Area Location¹: State/Territory: Florida City: Orlando County/Parish/Borough: Orange County

Center Coordinates of Review Area: Latitude 28.387583° Longitude -81.484038°

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
Surface Water 1	0.038	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Per review of historic aerials and soils maps, the subject surface water appears to have been constructed entirely in uplands, and is not a re-routed or altered (a)(1) through (a)(4) water. The subject surface water also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water.
Surface Water 2	0.516	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	Per review of historic aerials and soils maps, the subject surface water appears constructed in uplands and serves as a stormwater management pond. The subject surface water also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water.
Wetland 1	0.197	acre(s)	(b)(1) Non-adjacent wetland.	Per review of historic aerials and soils maps, the subject wetland appears hydrologically connected to (b)(5) water (Surface Water 1). The subject wetland does not abut, nor is it otherwise directly connected via continuous jurisdictional waters to, an (a)(1) through (a)(4) water. The subject wetland also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water.
Wetland 2	0.076	acre(s)	(b)(1) Non-adjacent wetland.	Per review of historic aerials and soils maps, the subject wetland appears hydrologically isolated. The subject wetland does not abut, nor is it otherwise directly connected via continuous jurisdictional waters to, an (a)(1) through (a)(4) water. The subject wetland also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water.
Wetland 3	0.111	acre(s)	(b)(1) Non-adjacent wetland.	Per review of historic aerials and soils maps, the subject wetland appears hydrologically isolated.

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
			The subject wetland does not abut, nor is it otherwise directly connected via continuous jurisdictional waters to, an (a)(1) through (a)(4) water. The subject wetland also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water.
Wetland 4	0.546	acre(s)	(b)(1) Non-adjacent wetland. Per review of historic aerials and soils maps, the subject wetland appears hydrologically isolated. The subject wetland does not abut, nor is it otherwise directly connected via continuous jurisdictional waters to, an (a)(1) through (a)(4) water. The subject wetland also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water.

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: [AJD \(Rapanos\) with NPR application submitted June 19, 2020](#). Subsequent to USACE implementation of the NWPR, Agent requested processing under an [AJD \(NWPR\) with NPR](#).

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

- Data sheets prepared by the Corps: [Prepared by Applicant and submitted June 19, 2020](#)
- Photographs: [Aerial and Other: Aerial Maps, Wetlands Maps; submitted June 19, 2020](#)
- Corps site visit(s) conducted on: [Date\(s\)](#).
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Soils Maps; submitted June 19, 2020](#)
- USFWS NWI maps: [USACE online review of NWI Database; reviewed June 19, 2020](#)
- USGS topographic maps: [TOPO Map; submitted June 19, 2020](#)

Other data sources used to aid in this determination:

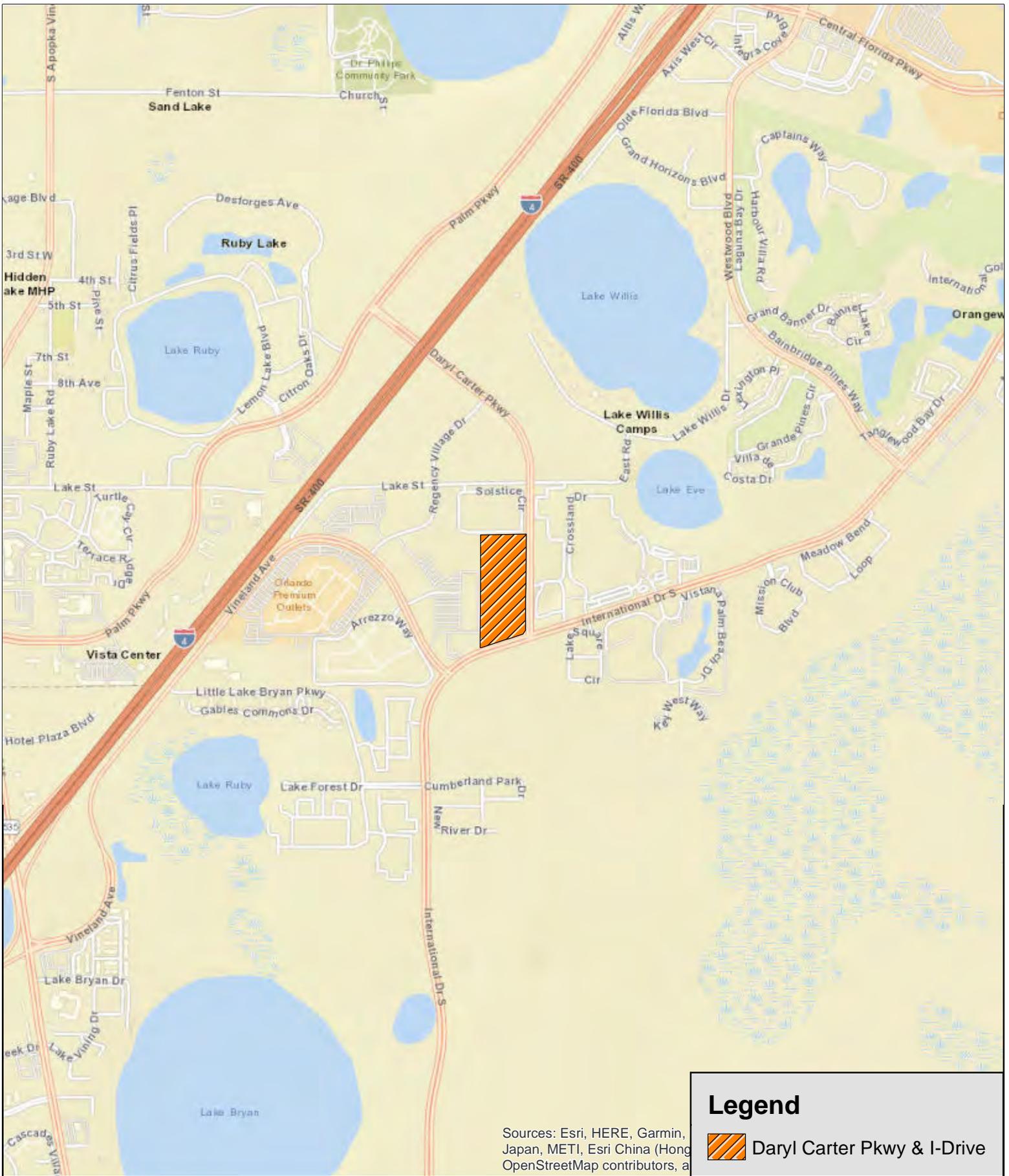
Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	FDEP Maps Direct Database (aerials, elevations, land uses, etc.)
Other Sources	Univ. of Florida online database (historical aerials dated 1954)

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



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



Daryl Carter Pkwy & I-Drive
 Orange County, Florida
 Figure 1
 Location Map

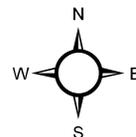
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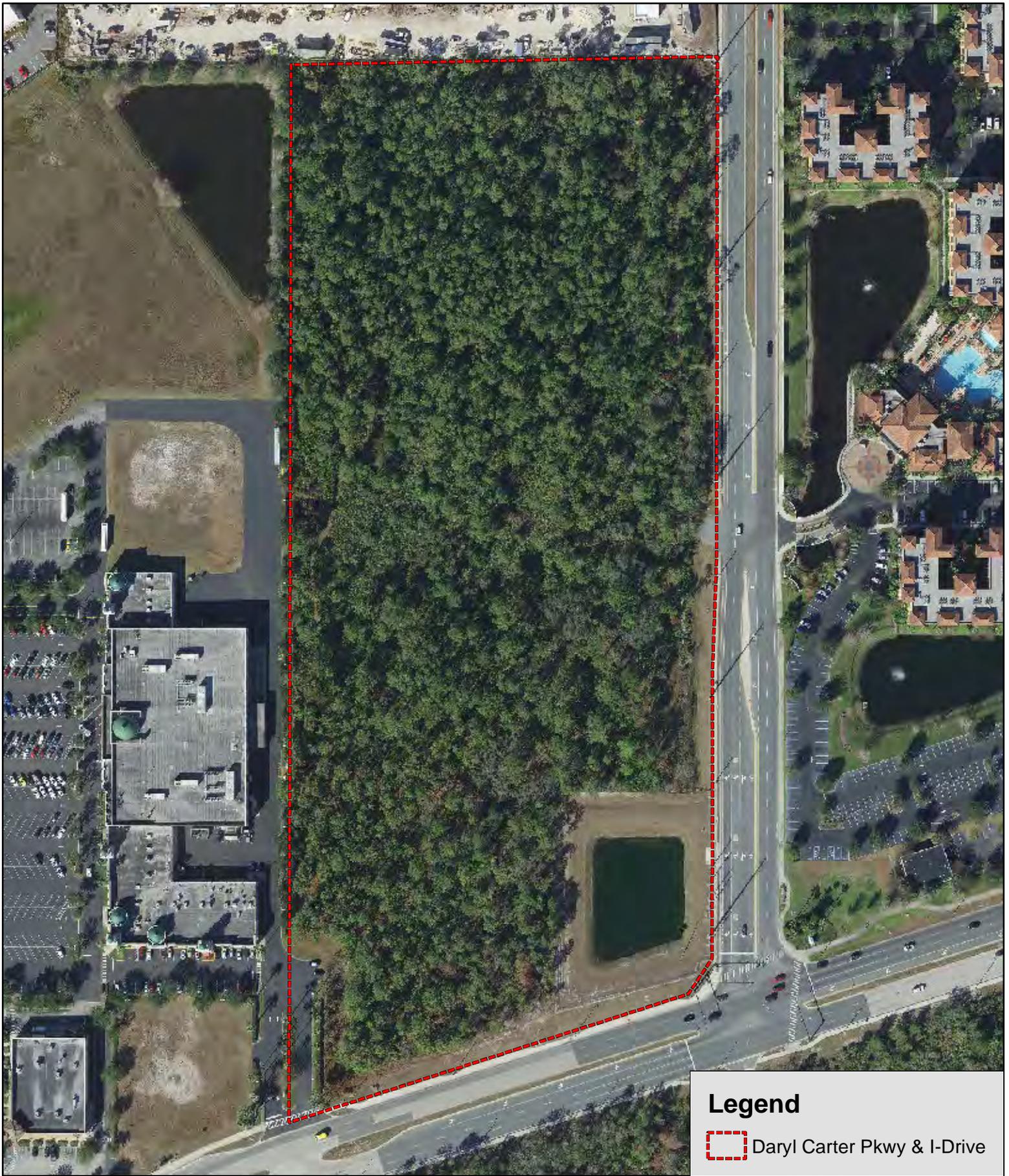
 Daryl Carter Pkwy & I-Drive

Sources: Esri, HERE, Garmin, Japan, METI, Esri China (Hong Kong), OpenStreetMap contributors, and the StreetView contributors.

0.5 Miles

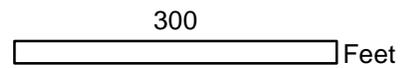
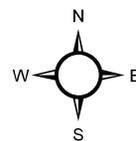
Project #: 1148-01
 Produced By: STC
 Date: 10/18/2019

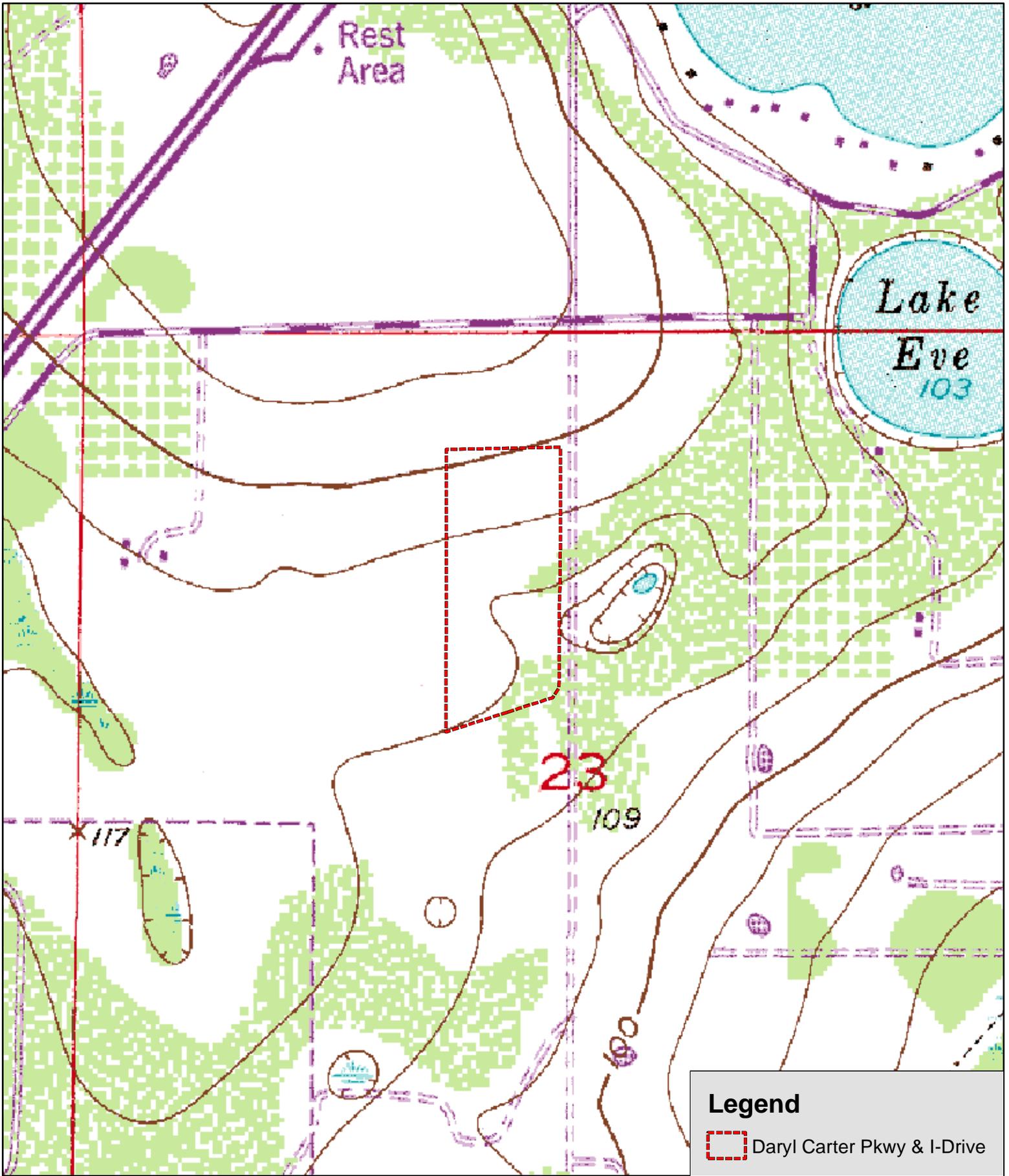




Legend

 Daryl Carter Pkwy & I-Drive



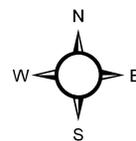


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 Orange County, Florida
 Figure 3
 USGS Topographic Map

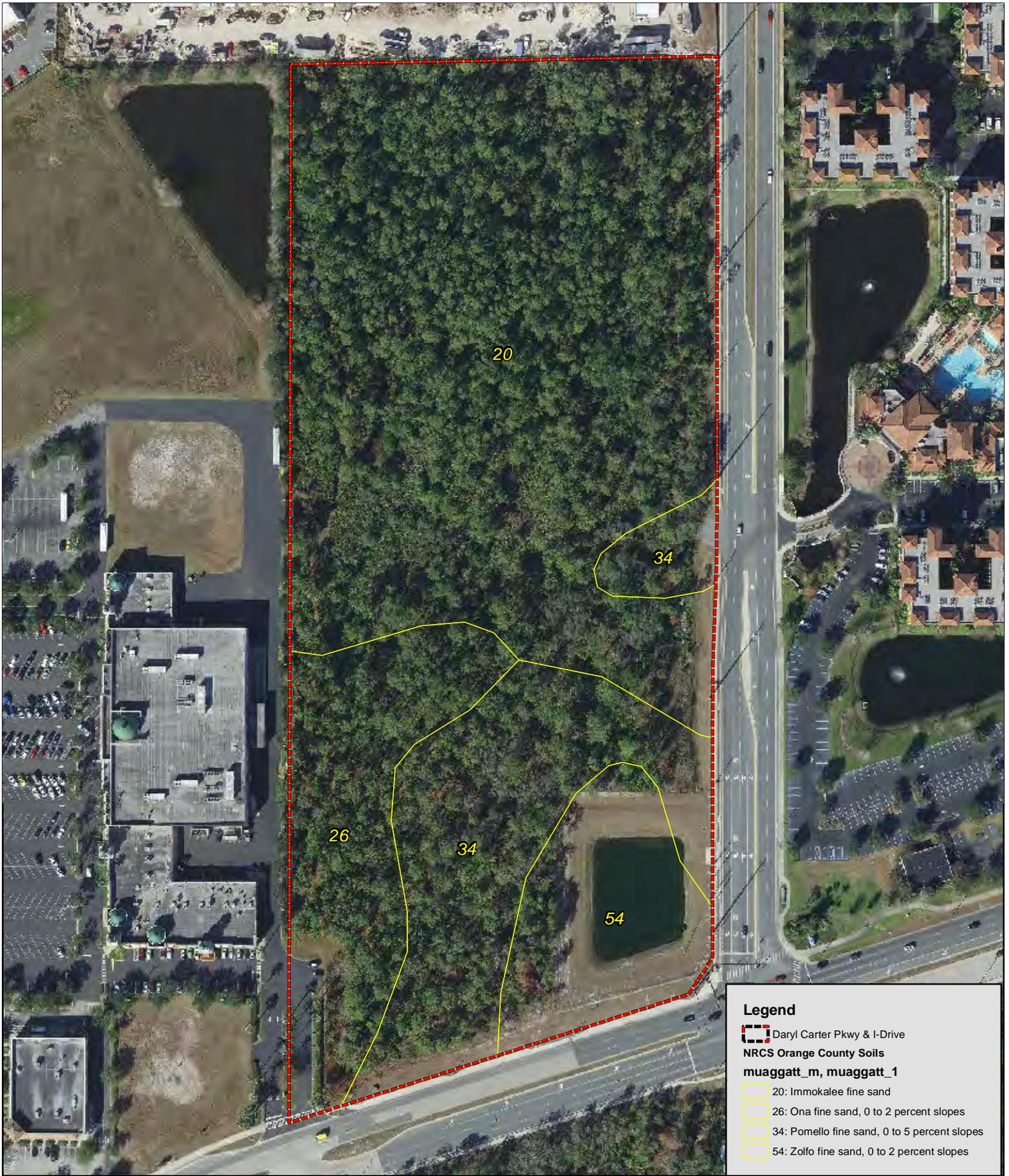
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Daryl Carter Pkwy & I-Drive

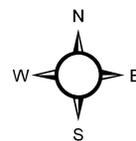
1,100 Feet



Project #: 1148-01
 Produced By: STC
 Date: 10/18/2019



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 Orange County, Florida
 Figure 4
 SSURGO Soils Map



300 Feet

Project #: 1148-01
 Produced By: STC
 Date: 10/18/2019



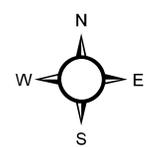
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Daryl Carter Pkwy & I-Drive

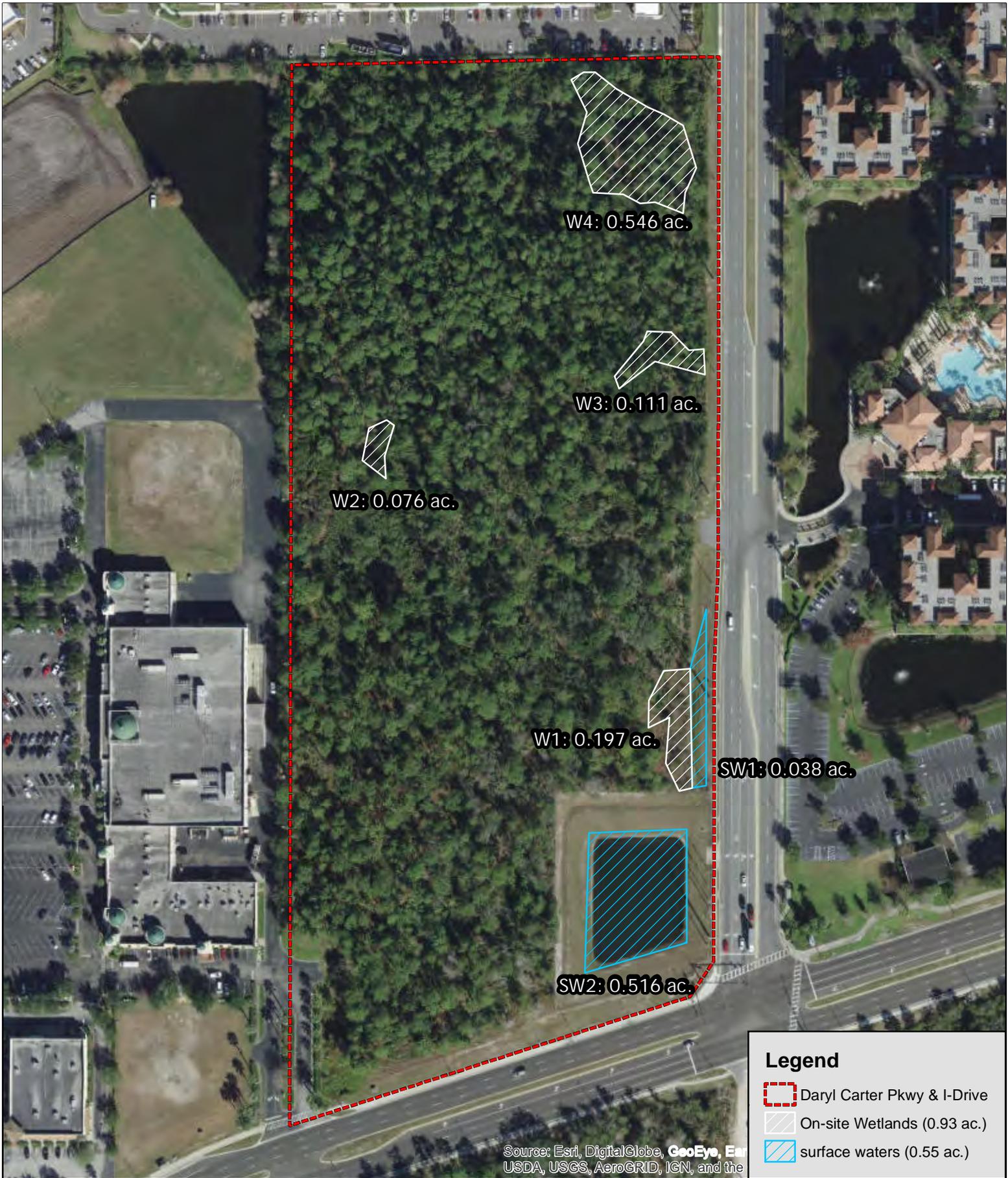
FLUCCS_sym, FLUCCS_nam

- 411, Pine Flatwoods
- 510, Streams and Waterways (Swale)
- 530, Reservoirs
- 618, Willow and Elderberry
- 630, Wetland Forested Mixed
- 814, Roads and Highways

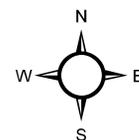
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 Orange County, Florida
 Figure 5
 FLUCFCS Map



200
 Feet
 Project #: 1148-01
 Produced By: STC
 Date: 6/16/2020



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 Figure 6
 Wetland Delineation Map



200
 Feet
 Project #: 1148-01
 Produced By: STC
 Date: 4/7/2020