



**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): 9/30/2020
 ORM Number: SAJ-2020-01597
 Associated JDs: N/A
 Review Area Location¹: State/Territory: FL City: Port St. Lucie County/Parish/Borough: St. Lucie
 Center Coordinates of Review Area: Latitude 27.333254 Longitude -80.410302

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.



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

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland B-1	0.14 acre(s)	(b)(1) Non-adjacent wetland.	Wetland B-1 does not meet the definition of an (a)(4) adjacent wetland, nor qualify for a (b)(2) thru (b)(12) excluded water. Based on the wetland data sheets provided by the consultant, NRCS soils map, USGS topographic map, and the historical aerials generated from Google Earth, the wetland is surrounded by uplands. Wetland B-1 is located approximately 3.5 miles from the nearest (a)(1) water, the Central and South Florida C-24 Flood Control Canal, east of the S-49 water control structure. The closest water to Wetland B-1 is I-95 drainage canal (excluded under (b)(10) of the NWPR), located approximately 700 feet west of the review area. Due to the elevation of the surrounding development, and absence of water control structures, wetland B-1, does not have a direct connection to the stormwater drainage canal, is not adjacent to an (a)(1)-(a)(3) water, and does not meet any components of the definition of an (a)(4) adjacent wetland, it is not jurisdictional.
Wetland B-2	0.10 acre(s)	(b)(1) Non-adjacent wetland.	Wetland B-2 does not meet the definition of an (a)(4) adjacent wetland, nor qualify for a (b)(2) thru (b)(12) excluded water. Based on the wetland data sheets provided by the consultant, NRCS soils map, USGS topographic map, and the historical aerials generated from Google Earth, the wetland extends to the east offsite as part of a larger wetland, however the wetland is separated by uplands and development. Wetland B-2 is located approximately 3.5 miles from the nearest (a)(1) water, the Central and South Florida C-24 Flood Control Canal, east of the S-49 water control structure. The closest water to Wetland B-2 is I-95 drainage canal (excluded under (b)(10) of the NWPR),

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.



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

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			located approximately 1,000 feet west of the review area. Due to the elevation of the surrounding development, and absence of water control structures, wetland B-2, does not have a direct connection to the stormwater drainage canal, is not adjacent to an (a)(1)-(a)(3) water, and does not meet any components of the definition of an (a)(4) adjacent wetland, it is not jurisdictional.

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: [PJD Request \(04/25/20\) changed AJD Request via email \(07/27/20\)](#)

This information is and is not sufficient for purposes of this AJD.

Rationale: [Unsolicited additional information was submitted to the Corps on 4 June 2020 which included a USGS Topo, Soils and NWI maps. The Corps requested historic aerials and data sheet for Wetland B-2 on 16 September 2020.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: Google Earth Aerials \(May 2000, January 2003, May 2004, December 2005, September 2006\)](#)
- 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: [USDA Soil Map \(generated 03/18/20 using Web Soil Survey -
https://websoilsurvey.sc.egov.usda.gov\)](#)
- USFWS NWI maps: [NWI Map \(generated 03/17/20 using
https://www.fws.gov/wetlands/Data/Mapper.html\)](#)
- USGS topographic maps: [USA Topographic Map \(generated 03/17/20 -
https://www.usgs.gov/core-science-systems/national-geospatial-program/topographic-maps\)](#)

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	Resource At Risk (RAR) System to Corp Internal

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



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

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