



**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): 9/16/2020
 ORM Number: SAJ-2019-04118
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Florida City: Southwest Ranches
 County/Parish/Borough: Broward
 Center Coordinates of Review Area: Latitude 26.060023° Longitude -80.334737°

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
Wetland 1	0.05	acre(s)	(b)(1) Non-adjacent wetland.	This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland does not directly abut an (a)(1) - (a)(3) water as it is more than 1000 feet from the canal to the west and more than 750 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and drainage canal to the west. The wetland is separated from the canal to the north by a combination of uplands and multiple roadways. See Section IIIC for further information.
Wetland 2	0.03	acre(s)	(b)(1) Non-adjacent wetland	This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland

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
			<p>does not directly abut an (a)(1) - (a)(3) water as it is more than 1100 feet from the canal to the west and 800 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and drainage canal to the west. The wetland is separated from the canal to the north by a combination of uplands and multiple roadways. See Section IIIC for further information.</p>
Wetland 3	0.11	acre(s)	<p>(b)(1) Non-adjacent wetland</p> <p>This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland does not directly abut an (a)(1) - (a)(3) water as it is more than 970 feet from the canal to the west and 1050 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and</p>



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
			drainage canal to the west. The wetland is separated from the canal to the north by a combination of uplands and multiple roadways. See Section IIIC for further information.	
Wetland 4	0.11	acre(s)	(b)(1) Non-adjacent wetland	<p>This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland does not directly abut an (a)(1) - (a)(3) water as it is more than 1500 feet from the canal to the west and 1350 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways, commercial development, and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and drainage canal to the west. The wetland is separated from the canal to the north by a combination of uplands, development, and multiple roadways. See Section IIIC for further information.</p>
Wetland 5	0.04	acre(s)	(b)(1) Non-adjacent wetland	<p>This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland does not directly abut an (a)(1) - (a)(3) water as it is more than 2050 feet from the canal to the</p>



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			<p>west and 1200 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and drainage canal to the west. The wetland is separated from the canal to the north by a combination of uplands and multiple roadways. See Section IIIC for further information.</p>
Wetland 6	0.03	acre(s)	<p>(b)(1) Non-adjacent wetland</p> <p>This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland does not directly abut an (a)(1) - (a)(3) water as it is more than 1950 feet from the canal to the west and 1300 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways, commercial development, and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and drainage canal to the west. The wetland is separated from the canal to the north</p>



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
			by a combination of uplands, development, and multiple roadways. See Section IIIC for further information.	
Wetland 7	0.03	acre(s)	(b)(1) Non-adjacent wetland	<p>This wetland is excluded as a non-adjacent wetland. The wetland inventory shows that a majority of the site is wetland and the soil survey indicate that the soil types present are hydric. However, aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel confirmed the boundaries of the wetlands as delineated by the applicant. The Corps also utilized this information to confirm that this wetland is surrounded by uplands. This wetland does not directly abut an (a)(1) - (a)(3) water as it is more than 1750 feet from the canal to the west and 1100 feet from the canal to the north. This wetland is not inundated by flooding from an (a)(1) - (a)(3) water in a typical year or separated from an (a)(1) - (a)(3) water only by a natural feature. The wetland is separated from the nearest water by a combination of roadways, commercial development, and uplands with no visible flood or drainage patterns as determined by aerial imagery and site photos. This wetland is not separated from an (a)(1) - (a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetlands and the (a)(1) - (a)(3) water in a typical year. As confirmed by aerial imagery and site photos there is not an artificial structure between the wetland and drainage canal to the west. The wetland is separated from the canal to the north by a combination of uplands, development, and multiple roadways. See Section IIIC for further information.</p>
Other Surface Water 1	0.06	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	<p>This water is a pond that is confined to the boundaries of the project site. The soil survey indicates the soil types on site are historically hydric and the national wetland inventory shows that a majority of the site is wetland. However, based on aerial imagery, data sheets submitted by the agent, and a site visit by Corps personnel this water is surrounded by uplands, and does not flow off site. Therefore, due to the lack of flow to a (a)(1) – (a) (3) water, these waters meet the definition for a (b)(1) exclusion.</p>



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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: [The agent submitted a jurisdictional determination request packet including maps and figures on 4 November 2019. Additional information including site photos and datasheets were submitted on 11 March 2020 and 17 June 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial: Google Earth Imagery dated 16 December 2018, 26 March 2011, 19 January 2007, and 14 January 1994.](#)

Corps site visit(s) conducted on: [9 November 2019](#)

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: [NRCS Web Soil Survey retrieved 1 September 2020](#)

<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

USFWS NWI maps: [NWI Map retrieved from Google Earth RAR tool 26 August 2020](#)

USGS topographic maps: [Title\(s\) and/or date\(s\).](#)

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:

The review area consists of a 60 acre parcel which largely consists of improved pasture. A site visit was conducted on 9 November 2019. Additional information was provided after the site visit on 11 March 2020 and 17 June 2020 to reclassify one wetland as a surface water and identify an additional wetland. The Corps concurred with the updated delineation. The site is bordered by a un-named drainage ditch on the western side of the review area. This canal flows through a culvert into the C-11 canal north of the review area. Based on the data collected by the Corps and from the agent, it was determined that the waters on site are isolated and non-jurisdictional.