



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): 31-AUG-2020  
 ORM Number: SAJ-2008-03132  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: FL City: County/Parish/Borough: Baker County  
 Center Coordinates of Review Area: Latitude 30.263243 Longitude -82.174818

**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)<sup>2</sup>**

§ 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)<sup>3</sup>

(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
Jurisdictional Man-Made FDOT Ditch	3061 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	The ditch was dug and channelized from a natural tributary and has perennial flow into a perennial tributary ((a)(2) waters) known as South Prong St. Mary's River in atypical year. The South Prong St. Mary's River ((a)(2) waters) then flows into the St. Mary's River ((a)(1) waters).  Figure 1 – Topographic Map shows a signature of the perennial tributary and the flow route to downstream (a)(2) waters. Figure 2 – Hydraulic Unit 8 Map shows the St. Mary's River ((a)(1) waters) watershed. Figure 6 – National Hydrologic Dataset Map (NHD)

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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>shows the perennial tributary as a river or stream. In addition, the flow path shows the (a)(2) waters abutting an (a)(1) waters.</p> <p>Figure 7 – National Wetlands Inventory Map (NWI) shows the palustrine-forested wetland surrounding the South Prong St. Mary’s River ((a)(2) waters).</p> <p>Figure 8 – Historical Photo 1953 shows the natural perennial tributary ((a)(2) waters) and it is abutting the South Prong St. Mary’s River ((a)(2) waters).</p> <p>Figure 9 – Historic Photo 1999 shows the channelized perennial tributary ((a)(2) waters) and the artificial berm.</p> <p>Figure 10 – Antecedent Precipitation Tool shows the delineation occurred during a wetter than normal period.</p> <p>Figure 11- USGS Stream Data shows the gage height of the South Prong St. Mary’s River ((a)(2) waters).</p> <p>Figure 12 – USGS Stream Data shows the gage height of the St. Mary’s River ((a)(1) waters) as it is subject to the ebb and flow of the tide.</p> <p>Figure 13 – Wetland Delineation Map shows the onsite perennial tributary ((a)(2) waters) as an orange dotted line.</p>
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**Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):**

<b>(a)(3) Name</b>	<b>(a)(3) Size</b>	<b>(a)(3) Criteria</b>	<b>Rationale for (a)(3) Determination</b>
N/A	N/A	N/A	N/A

**Adjacent wetlands ((a)(4) waters):**

<b>(a)(4) Name</b>	<b>(a)(4) Size</b>	<b>(a)(4) Criteria</b>	<b>Rationale for (a)(4) Determination</b>
Wetland 3	6.93 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	<p>The adjacent wetland ((a)(4) wetland) abuts a perennial tributary ((a)(2) waters) waters) that flows into a Jurisdictional , a downstream perennial tributary ((a)(2) waters) that flows into a downstream traditional navigable waterway ((a)(1) waters).</p> <p>Figure 3 – Hydric Soils Map shows the adjacent wetland ((a)(4) wetland) as has 66%-99% hydric soils near the same location and orientation as Wetland 3 on the delineation (reference Figure 13).</p> <p>Figure 6 – NHD shows the perennial tributary as a river or stream that Wetland 3 abuts. In addition, the flow path shows the (a)(2) waters abutting an (a)(1) waters.</p> <p>Figure 7- NWI shows a palustrine wetland near the same location and orientation as the Wetland 3 on the delineation.</p> <p>Figure 8 Historical Photo 1953 shows signatures of a wetland. The photo shows the natural perennial tributary ((a)(2) waters) and it is abutting the South Prong St. Mary’s River ((a)(2) waters).</p> <p>Figure 9 – Historic Photo 1999 shows signatures of a</p>

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			wetland. The photo shows the natural tributary has been channelized and the artificial berm that was created. Figure 13 – Wetland Delineation shows the extent of the wetland ((a)(2) wetland) on the project site.
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**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Wetland 5	1.23 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from a perennial tributary ((a)(2) waters) by an artificial berm. There is no direct hydrologic surface flow through the berm into the (a)(2) water.  Figure 9 – Historical Photo 1999 shows a wetland signature that has been physically separated by an artificial berm. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Upland Cut Ditch	1204 feet	(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)	The ditch ((b)(5)) was dug from uplands to drain stormwater runoff from a rudimentary roadway to the north.  Figure 3, 4, and 5 – Hydric Soils Map indicates the area has only 19% hydric soils. Figure 9 – Historical Photo 1999 shows an upland cut dug ditch that abuts a perennial tributary. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area and indicates the upland cut ditch and has uplands on both sides of the ditch.
Wetland 2	0.83 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from a perennial tributary ((a)(2) waters) by surrounding uplands.  Figure 9 – Historical Photo 1999 shows a wetland signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Wetland 4	0.07 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from a perennial tributary ((a)(2) waters) by surrounding uplands.  Figure 9 – Historical Photo 1999 shows a wetland dome signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Wetland 6	0.37 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from a perennial tributary ((a)(2) waters) by surrounding uplands.

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			Figure 9 – Historical Photo 1999 shows a wetland dome signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Wetland 7	0.17 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from a perennial tributary ((a)(2) waters) by separated by an artificial berm.  Figure 9 – Historical Photo 1999 shows a wetland signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Wetland 8	0.04 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from an ephemeral tributary ((a)(2) waters) by an artificial berm.  Figure 9 – Historical Photo 1999 shows a wetland signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Wetland 9	0.09 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from an ephemeral tributary ((a)(2) waters) by an artificial berm.  Figure 9 – Historical Photo 1999 shows a wetland signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.
Wetland 1	0.54 acres	(b)(1) Non-adjacent wetland	The non-adjacent wetland ((b)(1) wetland) is physically separated from a perennial tributary ((a)(2) waters) by surrounding uplands.  Figure 9 – Historical Photo 1999 shows a wetland signature. Figure 13 – Wetland Delineation Map shows the full extent of the wetland in the review area.

**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: *Wetland Delineation Map dated 28 August 2020 (Figure 13), Wetland Determination Forms dated 6 April 2018 (Figure 14)*

This information *is* sufficient for purposes of this AJD.

Photographs: *University of Florida Historic Photo 1953 (Figure 8), Google Earth Historic Photo 1999 (Figure 9)*

Previous Jurisdictional Determinations (AJDs or PJDs): *AJD dated 8 January 2008*

Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

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- USDA NRCS Soil Survey: *Hydric Soils Map dated 2 June 2020 (Figures 3,4, and 5)*
- USFWS NWI maps: *National Wetlands Inventory Map date 2 June 2020 (Figure 7)*
- NOAA NHD maps: *National Hydrologic Dataset Map dated 2 June 2020 (Figure 6)*
- USGS topographic maps: *Topographic Map dated 2 June 2020 (Figure 1), Stream Gauge Charts dated 28 August 2020 (Figures 11 and 12) Hydrologic Unit Map dated 2 June 2020 (Attachment 2)*

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Google Earth, and <a href="https://waterdata.usgs.gov/fl/nwis/current/?type=flow&amp;group_key=basin_cd">https://waterdata.usgs.gov/fl/nwis/current/?type=flow&amp;group_key=basin_cd</a>
USDA Sources	<a href="https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx">https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx</a>
NOAA Sources	Google Earth
USACE Sources	APT
State/Local/Tribal Sources	N/A.
Other Sources	<a href="https://ufdc.ufl.edu/aerials/map">https://ufdc.ufl.edu/aerials/map</a>

**B. Typical year assessment(s):** The perennial tributary and the ephemeral tributary were referenced as surface waters according to the wetland delineation map. The Palmer Drought Severity Index indicated the delineation occurred during a moderate wetness drought index. The Web-based Water-Budget Interactive Modeling Program indicated the delineation occurred during the wet season. The delineation occurred prior to a series of large precipitation events that would have resulted in an increase of surface water features. The 30-day Rolling Total corresponds with the recent large precipitation events occurred during moderate wetness during the wet season. The Antecedent Precipitation Tool indicates the delineation occurred during a wetter than normal climatic period. In consideration of a moderate wetness drought index occurring during the wet season, the 30-day rolling total, and the wetter than normal climatic conditions, the Corps has determined the flow assessment of the ephemeral tributary to be accurate because it was not flowing water during these conditions. The Corps has determined the perennial tributary assessment is accurate because of the supporting information referenced in C(a)(2) above.

**C. Additional comments to support AJD:** N/A.

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