



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): 02-SEP-2020

ORM Number: SAJ-2020-00691

Associated JDs: N/A

Review Area Location¹: State/Territory: FL City: Jacksonville County/Parish/Borough: Duval County

Center Coordinates of Review Area: Latitude 30.198851 Longitude -81.750674

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 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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland 630	0.31 acres	(b)(1) Non-adjacent wetland	<p>The Corps determined that the wetland would not satisfy any definition provided in 328.3(a)(1-4) for a jurisdictional wetland. Historical Photos show the wetland is isolated from the Ortega River and no tributaries are adjacent to the (b)(1) non-adjacent wetland. There is no evidence that these wetlands are inundated by flood waters from the Ortega River at any time. This water is excluded from Corps jurisdiction pursuant to 33 CFR §328.3(b)(1).</p> <p>Figure 1: Topographic Map shows the review area and geological features. Figure 2: Solis Map shows hydric soils in the location of the review area. Figure 3: National Wetlands Inventory Map (NWI) shows palustrine-forested wetlands out of the review area. Figure 4: National Hydrologic Dataset Map (NHD) shows flow lines or tributaries not extending from the review area. Figure 5: Historical Photo 2002 shows the construction of (b)(10) waters adjacent to the review area. Figure 6: Historical Photo 1943 shows the (b)(1) non-adjacent wetland is surrounded by uplands and does not have an adjacent tributary. Figure 7: Lidar shows lower elevations extending northeast towards the offsite roadside ditch. Figure 8: Wetland Delineation shows the full extent of wetlands on the project site.</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: *Topographic Map dated 6 August 2020 (Figure 1), Soils Map dated 6 August 2020 (Figure 2), Digital Elevation Model Map dated 6 August 2020 (Figure 7), Wetland Delineation Map dated 6 August 2020 (Figure 8)*

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

Photographs: *Historical Photo 2002 dated 2 September 2020 (Figure 5), Historical Photo 1943 dated 2 September 2020 (Figure 6).*

USGS: *National Hydrologic Survey dated 2 September 2020 (Figure 4)*

USFWS NWI maps: *National Wetlands Inventory dated 2 September 2020 (Figure 3)*

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Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Google Earth
USDA Sources	https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx
USFWS Sources	Google Earth
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	https://ufdc.ufl.edu/aerials/map

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

C. Additional comments to support AJD: N/A

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