

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Jacksonville, 9A-Timber Management Area

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Florida County/parish/borough: Duval City: Jacksonville
Center coordinates of site (lat/long in degree decimal format): Lat. 30.156 ° N, Long. 81.509 ° W
Universal Transverse Mercator: NAD83

Name of nearest waterbody: Big Davis Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: St. Johns River

Name of watershed or Hydrologic Unit Code (HUC): Lower St. Johns (030801031302)

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: 15 Aug 2012 and 15 Nov 2012

Field Determination. Date(s): 20 March 2012 and 12 April 2012

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

- TNWs, including territorial seas
- Wetlands adjacent to TNWs
- Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
- Non-RPWs that flow directly or indirectly into TNWs
- Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- Impoundments of jurisdictional waters
- Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres.

Wetlands: Based on the NWI, there are approximately 6,256 acres.

c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual

Elevation of established OHWM (if known):

In addition to the 1987 Delineation Manual, the limits of the jurisdiction were based on the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region.

2. Non-regulated waters/wetlands (check if applicable):³

- Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: Ten wetlands on-site, approximately 33.59 acres, do not have a demonstrable significant nexus to traditional navigable waters or relatively permanent waters (Big Davis Creek).

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year round or has continuous flow (at least seasonally) (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: **Big Davis Creek.**

Summarize rationale supporting determination: There is approx. 4,470 linear feet on the project site that was most likely used for interstate commerce based on the history of the property. Big Davis Creek connects to Julington Creek, which connects to the St. Johns River.

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": There are approximately 26.8 acres of wetlands contiguous to Big Davis Creek on the project site.

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: 16,980 acres
Drainage area: **Pick List**
Average annual rainfall: 52.34 inches
Average annual snowfall: inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

- Tributary flows directly into TNW.
 Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **2.5** river miles from TNW.
Project waters are **1.2** river miles from RPW.
Project waters are **2.5** aerial (straight) miles from TNW.
Project waters are **1.2** aerial (straight) miles from RPW.
Project waters cross or serve as state boundaries. Explain: n/a.

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional channels generally, and in the all? West

Identify flow route to TNW⁵: The project site wetlands are adjacent to wetlands directly abutting the RPW. The RPW flows directly into the TNW, Big Davis Creek and then into Julington Creek and into the St. Johns River.
 Tributary stream order, if known: First Order.

(b) General Tributary Characteristics (check all that apply):

- Tributary is: Natural
 Artificial (man-made). Explain:
 Manipulated (man-altered). Explain: The RPW is natural but the stream and adjacent wetlands

have been affected by silviculture operations.

Tributary properties with respect to top of bank (estimate):

- Average width: 5-10 feet
 Average depth: 0-2 feet
 Average side slopes: **1:1 (or greater)**.

Primary tributary substrate composition (check all that apply):

- | | | |
|--|---|-----------------------------------|
| <input type="checkbox"/> Silts | <input checked="" type="checkbox"/> Sands | <input type="checkbox"/> Concrete |
| <input type="checkbox"/> Cobbles | <input type="checkbox"/> Gravel | <input type="checkbox"/> Muck |
| <input type="checkbox"/> Bedrock | <input checked="" type="checkbox"/> Vegetation. Type/% cover: herbaceous wetland vegetation | |
| <input type="checkbox"/> Other. Explain: | | |

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: If slopes are present, they are highly eroded.

Presence of run/riffle/pool complexes. Explain: n/a.

Tributary geometry: **Relatively straight**

Tributary gradient (approximate average slope): 1 %

(c) Flow:

Tributary provides for: **Intermittent but not seasonal flow**

Estimate average number of flow events in review area/year: **2-5**

Describe flow regime:

Other information on duration and volume:

Surface flow is: **Overland sheetflow**. Characteristics:

Subsurface flow: **Unknown**. Explain findings:

- Dye (or other) test performed:

Tributary has (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Bed and banks | |
| <input checked="" type="checkbox"/> OHWM ⁶ (check all indicators that apply): | |
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> the presence of litter and debris |
| <input checked="" type="checkbox"/> changes in the character of soil | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> shelving | <input type="checkbox"/> the presence of wrack line |
| <input type="checkbox"/> vegetation matted down, bent, or absent | <input type="checkbox"/> sediment sorting |
| <input type="checkbox"/> leaf litter disturbed or washed away | <input type="checkbox"/> scour |
| <input type="checkbox"/> sediment deposition | <input type="checkbox"/> multiple observed or predicted flow events |
| <input checked="" type="checkbox"/> water staining | <input type="checkbox"/> abrupt change in plant community |
| <input type="checkbox"/> other (list): | |
| <input type="checkbox"/> Discontinuous OHWM. ⁷ Explain: | |

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- | | |
|--|---|
| <input checked="" type="checkbox"/> High Tide Line indicated by: | <input checked="" type="checkbox"/> Mean High Water Mark indicated by: |
| <input type="checkbox"/> oil or scum line along shore objects | <input type="checkbox"/> survey to available datum; |
| <input type="checkbox"/> fine shell or debris deposits (foreshore) | <input type="checkbox"/> physical markings; |
| <input type="checkbox"/> physical markings/characteristics | <input checked="" type="checkbox"/> vegetation lines/changes in vegetation types. |
| <input type="checkbox"/> tidal gauges | |
| <input type="checkbox"/> other (list): | |

(iii) **Chemical Characteristics:**

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.
⁶ A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
⁷ Ibid.

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain: No water was observed.

Identify specific pollutants, if known:

(iv) **Biological Characteristics. Channel supports (check all that apply):**

Riparian corridor. Characteristics (type, average width):

Wetland fringe. Characteristics: Wetlands in this review area have the hydrology, wetland vegetation and soils. These areas also provide significant habitat for wildlife species.

Habitat for:

Federally Listed species. Explain findings:

Fish/spawn areas. Explain findings:

Other environmentally-sensitive species. Explain findings:

Aquatic/wildlife diversity. Explain findings: This tributary provides habitat for amphibians, reptiles, and insects. The tributary provides an ecological corridor between the wetland and Big Davis Creek..

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) **Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: 237.07 acres on-site and approx. the same amount of wetlands off-site that are similarly situated acres

Wetland type. Explain: FLUCFCS #630, wetland forested mixed.

Wetland quality. Explain: Medium to high.

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: Intermittent flow. Explain:

Surface flow is: Overland sheetflow

Characteristics:

Subsurface flow: Unknown. Explain findings:

Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection. Explain: Due to the hydrologic connection between these wetlands and the adjacent wetlands abutting the RPW, the wetland features are physically, chemically, and hydrologically connected.

Ecological connection. Explain: The wetlands provide life-history support for larger amphibians and reptiles as breeding or foraging habitat, ephemeral foraging habitat to wading birds and small mammals, and temporary escape or bedding habitat for larger mammals.

Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are 2-5 river miles from TNW.

Project waters are 2-5 aerial (straight) miles from TNW.

Flow is from: Wetland to/from navigable waters.

Estimate approximate location of wetland as within the Pick List floodplain.

(ii) **Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: no water was observed.

Identify specific pollutants, if known: Unknown.

(iii) **Biological Characteristics. Wetland supports (check all that apply):**

Riparian buffer. Characteristics (type, average width):

Vegetation type/percent cover. Explain: FLUCFCS #630, wetland forested mixed.

Habitat for:

Federally Listed species. Explain findings:

Fish/spawn areas. Explain findings:

Other environmentally-sensitive species. Explain findings:

Aquatic/wildlife diversity. Explain findings:

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: ~~20.25~~

Approximately (258.54) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>	<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>
N	21.17 (Wetland B)		
N	0.73 (Wetland C)		
N	0.17 (Wetland E)		
N	24.90 (Wetland F)		
N	170.13 (Wetland G)		
N	0.07 (Wetland H)		
N	0.05 (Wetland I)		
N	0.10 (Wetland J)		
N	0.35 (Wetland K)		
N	1.55 (Wetland L)		
N	0.51 (Wetland M)		
N	0.07 (Wetland N)		
N	15.38 (Wetland O)		
N	0.11 (Wetland P)		
N	0.05 (Wetland R)		
N	0.76 (Wetland S)		
N	1.55 (Wetland T)		
N	0.20 (Wetland U)		
N	19.02 (Wetland V)		
N	0.64 (Wetland Y)		
N	1.04 (Wetland AA)		

Summarize overall biological, chemical and physical functions being performed: Wetlands are within the watershed associated with Big Davis Creek. The wetlands naturally receive drainage (overland and shallow subsurface) during rain events and release that water into the tributary and to the downstream TNW. The wetlands provide both biological and chemical functions to maintain wildlife utilization and water quality benefits. They also provide a physical means of water conveyance and flood control.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:N/A.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.⁹**

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from "waters of the U.S.," or
 Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
 Demonstrate that water is isolated with a nexus to commerce (see E below).

E. **ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰**

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
 from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
 which are or could be used for industrial purposes by industries in interstate commerce.
 Interstate isolated waters. Explain:
 Other factors. Explain:

Identify water body and summarize rationale supporting determination:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: linear feet width (ft).
 Other non-wetland waters: acres.
Identify type(s) of waters:
 Wetlands: acres.

F. **NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):**

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
 Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
 Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:

Proposed Non-Jurisdictional Wetland 1: This isolated depression is located 200 feet south of Atlantic Coast High School and greater than 500 feet from the nearest proposed jurisdictional wetland. This wetland area is physically isolated from any surrounding wetlands. Upland pine plantation surrounding this wetland is planted at grade, with no evidence of significant bedding rows. The pine rows are oriented east-west and provide no hydrologic connection to neighboring wetlands to the south at approximately 500 feet and the east at over 1,100 feet. In all instances, a topographic ridge with sandy soils and xeric habitat is discernible between the potentially isolated wetland and the neighboring wetlands. This wetland acts as a small sink feature within the landscape and serves a unique and limited drainage area of surrounding uplands that is topographically isolated from the drainage of neighboring wetlands. Based on numerous inspections of this wetland, permanent standing water does not occur in this wetland. The wetland appears to only stage water after storm events, and then percolate through sandy soils. The wetland likely provides full life history support for a very limited assemblage of insects and small amphibians, but due to the physical isolation and habitat barriers does not support significant immigration or emigration of such species to or from neighboring wetlands. The wetland may provide limited life-history support for larger amphibians and reptiles as breeding or foraging habitat, ephemeral foraging habitat to wading birds and small mammals, and temporary escape or bedding habitat for larger mammals; however, given its location in the landscape, limited and ephemeral hydrologic regime, and small size, these functions are insignificant when considered relative to the larger wetland complexes in the vicinity. This wetland feature is physically, chemically, and hydrologically isolated from neighboring wetlands and there is no clear significant nexus by which jurisdiction can be claimed.

Proposed Non-Jurisdictional Wetlands 2: This proposed non-jurisdictional wetland is located in the north central portion of the project area. The wetland is an isolated depression found on a sandhill, mostly comprised of Kershaw and Ortega Find

⁹ To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook

¹⁰ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos

Sand. This wetland area is physically isolated from any surrounding wetlands and is at a minimum greater than 300 feet away from the nearest proposed jurisdictional wetland. No ditches or drainage features are associated with, or connected to this wetland. The existing trailroad that runs north/south through the central portion of the project is at-grade with no associated ditches. Young upland pine plantation surrounds this area and is planted at grade, with no evidence of significant bedding rows. The pine rows are oriented east-west and provide no hydrologic connection to wetlands located in all four cardinal directions. In all instances, a topographic ridge is discernible between the potentially isolated wetland and the neighboring wetlands. This wetland area acts as small sink feature within the landscape and serves a unique and limited drainage area of surrounding uplands that are topographically isolated from the drainage of neighboring wetlands. Based on numerous inspections of this wetland, permanent standing water does not occur. This wetland appears to only stage water after storm events, and then percolate through sandy soils. This wetland likely provides full life history support for a very limited assemblage of insects and small amphibians, but due to the physical isolation and habitat barriers it does not support significant immigration or emigration of such species to or from neighboring wetlands. The wetland may provide limited life-history support for larger amphibians and reptiles as breeding or foraging habitat, ephemeral foraging habitat to wading birds and small mammals, and temporary escape or bedding habitat for larger mammals; however, given its location in the landscape, limited and ephemeral hydrologic regime, and small size, these functions are insignificant when considered relative to the larger wetland complexes in their vicinity. The wetland features are physically, chemically, and hydrologically isolated from neighboring wetlands and there is no clear significant nexus by which jurisdiction can be claimed.

Proposed Non-Jurisdictional Wetlands 3, 4, 5, 6 and 7: These five proposed non-jurisdictional wetlands are located in the central portion of the project area. The wetlands are isolated depressions found on a xeric oak sandhill. These wetland areas are physically isolated from any surrounding wetlands and are at a minimum greater than 200 feet away from the nearest proposed jurisdictional wetland. No ditches or drainage features are associated with, or connected to these wetland areas. Multiple trail roads traverse the central portion of the project but they are primarily at-grade with no associated ditches. A xeric oak ecosystem surrounds this area with little to no pine plantation. In all instances, a topographic ridge is discernible between the potentially isolated wetland and the neighboring wetlands. These wetland areas act as small sink features within the landscape and they serve a unique and limited drainage area of surrounding uplands that are topographically isolated from the drainage of neighboring wetlands. Based on numerous inspections of these wetlands, permanent standing water does not occur. The wetlands appear to only stage water after storm events, and then percolate through sandy soils. The wetlands likely provide full life history support for a very limited assemblage of insects and small amphibians, but due to the physical isolation and habitat barriers they do not support significant immigration or emigration of such species to or from neighboring wetlands. The wetlands may provide limited life-history support for larger amphibians and reptiles as breeding or foraging habitat, ephemeral foraging habitat to wading birds and small mammals, and temporary escape or bedding habitat for larger mammals; however, given their location in the landscape, limited and ephemeral hydrologic regime, and small sizes, these functions are insignificant when considered relative to the larger wetland complexes in their vicinity. These wetlands have features that area physically, chemically, and hydrologically isolated from neighboring wetlands and there is no clear significant nexus by which jurisdiction can be claimed.

Proposed Non -Jurisdictional Wetland 8: This proposed non-jurisdictional wet depression is located immediately north of a previously permitted activity (SJRWMD Permit No. 4-031-126414-1). This wetland area is physically isolated from any surrounding wetlands. Upland pine planation surrounding this wetland is planted at grade, with no evidence of significant bedding rows. The pine rows are oriented east-west and provide no hydrologic connection to neighboring wetlands to the north and south. In all instances, a topographic ridge is discernible between the potentially isolated wetland and the neighboring wetlands. The neighboring wetlands are located no closer to the subject wetland than a distance of over 400 feet. This wetland acts as a small sink feature within the landscape and serves a unique and limited drainage area of surrounding uplands that is topographically isolated from the drainage of neighboring wetlands. Based on numerous inspections of this wetland, permanent standing water does not occur in this wetland. The wetland appears to only stage water after storm events, and then percolate through sandy soils. The wetland likely provides full life history support for a very limited assemblage of insects and small amphibians, but due to the physical isolation and habitat barriers does not support significant immigration or emigration of such species to or from neighboring wetlands. The wetland may provide limited life-history support for larger amphibians and reptiles as breeding or foraging habitat, ephemeral foraging habitat to wading birds and small mammals, and temporary escape or bedding habitat for larger mammals; however, given its location in the landscape, limited and ephemeral hydrologic regime, and small size, these functions are insignificant when considered relative to the larger wetland complexes in the vicinity. This wetland feature is physically, chemically, and hydrologically isolated from neighboring wetlands and there is no clear significant nexus by which jurisdiction can be claimed.

Proposed Non-Jurisdictional Wetlands 9 and 10: These two proposed non-jurisdictional wetlands are located in the south central portion of the project area. The wetlands are isolated depressions found on a sandhill. These wetland areas are physically isolated from any surrounding wetlands and are at a minimum greater than 800 feet away from the nearest proposed non-jurisdictional wetland and greater than 800 feet from the closest proposed jurisdictional wetland. No ditches or drainage features are associated with, or connected to these wetland areas. A trail road is located in between the two wetlands but the road is at-grade with no associated ditches. Upland sand pine plantation surrounds both the wetlands. In all instances, a topographic ridge is discernible between the potentially isolated wetlands and the neighboring wetlands. Each wetland acts as a small sink feature within the landscape and serves a unique and limited drainage area of surrounding uplands that is topographically isolated from the drainage of neighboring wetlands. Based on numerous inspections of both the

wetlands, permanent standing water does not occur in these wetland. The wetlands appear to only stage water after storm events, and then percolate through sandy soils. The wetland likely provides full life history support for a very limited assemblage of insects and small amphibians, but due to the physical isolation and habitat barriers does not support significant immigration or emigration of such species to or from neighboring wetlands. The wetlands may provide limited life-history support for larger amphibians and reptiles as breeding or foraging habitat, ephemeral foraging habitat to wading birds and small mammals, and temporary escape or bedding habitat for larger mammals; however, given its location in the landscape, limited and ephemeral hydrologic regime, and small size, these functions are insignificant when considered relative to the larger wetland complexes in the vicinity. This wetland features are physically, chemically, and hydrologically isolated from neighboring wetlands and there is no clear significant nexus by which jurisdiction can be claimed.

Other: (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
 Lakes/ponds: acres.
 Other non-wetland waters: acres. List type of aquatic resource:
 Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
 Lakes/ponds: acres.
 Other non-wetland waters: acres. List type of aquatic resource:
 Wetlands: 33.59 acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Office concurs with data sheets/delineation report.
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps:
 Corps navigable waters' study:
 U.S. Geological Survey Hydrologic Atlas:
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: Trout River, 1"=2,000'.
 USDA Natural Resources Conservation Service Soil Survey. Citation: Duval County.
 National wetlands inventory map(s). Cite name:
 State/Local wetland inventory map(s):
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Bing Maps, 2012.
 or Other (Name & Date):
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify): Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region.

B. ADDITIONAL COMMENTS TO SUPPORT JD: