

Tarah Parish

From: Jeff Pardue
Sent: Friday, July 17, 2020 3:46 PM
To: Cordwell, Jessica L CIV USARMY CESAJ (USA)
Cc: Tarah Parish
Subject: GRSIP SAJ 2017-00767 (JD-LEO)
Attachments: GRSIP NWPR AJD.pdf; NWPR AJD Form.docx

Good Afternoon Jessica – Anticipating you will ask for the new NWPR form for the GRSIP submittal I went ahead and prepared it along with a new exhibit identifying WOTUS. If you need anything additional please let me know.

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**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): [Select](#).

ORM Number: [SAJ-2017-00767 \(JD-LEO\)](#)

Associated JDs: [N/A](#)

Review Area Location¹: State/Territory: [Florida](#) City: [Enter](#). County/Parish/Borough: [Sumter County](#)

Center Coordinates of Review Area: Latitude [28.791108](#) Longitude [-82.083481](#)

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	
SW6-1	2.02	acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Ditch that was constructed in an adjacent wetland (a)(4)
SW6-2	0.17	acre(s)	(a)(2) Intermittent tributary contributes	Ditch that was constructed in an adjacent wetland (a)(4)

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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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	
SW2	1.02	acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Ditch that was constructed in an adjacent wetland (a)(4)
SW3-1	1.18	acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Ditch that was constructed in an adjacent wetland (a)(4)
SW3-2	0.44	acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Ditch that was constructed in an adjacent wetland (a)(4)
SW3-3	0.78	acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Ditch that was constructed in an adjacent wetland (a)(4)
SW7	0.28	acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Ditch that was constructed in an adjacent wetland (a)(4)
SW13	0.36	acre(s)	(a)(2) Intermittent tributary contributes	Ditch that was constructed in an adjacent wetland (a)(4)



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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
		surface water flow directly or indirectly to an (a)(1) water in a typical year.	

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
W1	14.82	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.
W20	0.03	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.
W21	0.06	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.
W17	0.04	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.
W18	0.02	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.
W19	0.03	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.
W22	0.09	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.



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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
W24	0.40	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland directly abuts an (a)(2) water (SW3-1)
W13	0.79	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland directly abuts an (a)(2) water (SW13) (TNW)
W14	0.01	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Wetland adjacent to (a)(2) water (SW13)

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
W2	0.50	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W3	0.36	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W4	0.04	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W6	0.07	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W7	1.74	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W8	0.98	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W9	0.29	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W10	5.48	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.

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
W12	0.74	Acres(s)	(b)(1) Non-adjacent wetland	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W16	0.11	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W15	0.03	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W29	0.34	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W30	0.50	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W31	1.40	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W32	0.03	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W25	0.04	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W26	0.38	acres	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
W28	0.24	acres	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to an (a)(1) – (a)(3) water and has no surface hydrologic connection to those waters.
SW1	0.57	acres	(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.	Excavated pond
SW4-1	0.67	acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly	Excavated pond



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	
SW4-2	0.27	acres	(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.	Excavated pond
SW4-3	0.30	acres	(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.	Excavated pond
SW5	0.31	acres	(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.	Excavated pond
SW30	0.20	acres	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch	Ditch excavated in a non-adjacent wetland



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	
SW30/31	0.12	acres	(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).	Ditch excavated between two non-adjacent wetlands
SW31/32	0.83	acres	(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).	Ditch excavated between two non-adjacent wetlands

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: [Please see the BDA submittal from June 25, 2020](#)

This information [Select](#). sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\)](#).

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

☒ Photographs: [Aerial and Other: Please see the BDA submittal from June 25, 2020](#)

☐ Corps site visit(s) conducted on: [Date\(s\)](#).

☒ Previous Jurisdictional Determinations (AJDs or PJDs): [SAJ-2017---767\(JD-LEO\)](#)

☒ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

☒ USDA NRCS Soil Survey: [Please see the BDA submittal from June 25, 2020](#)

☒ USFWS NWI maps: [Please see the BDA submittal from June 25, 2020](#)

☒ USGS topographic maps: [Please see the BDA submittal from June 25, 2020](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	National Hydrography Dataset Map



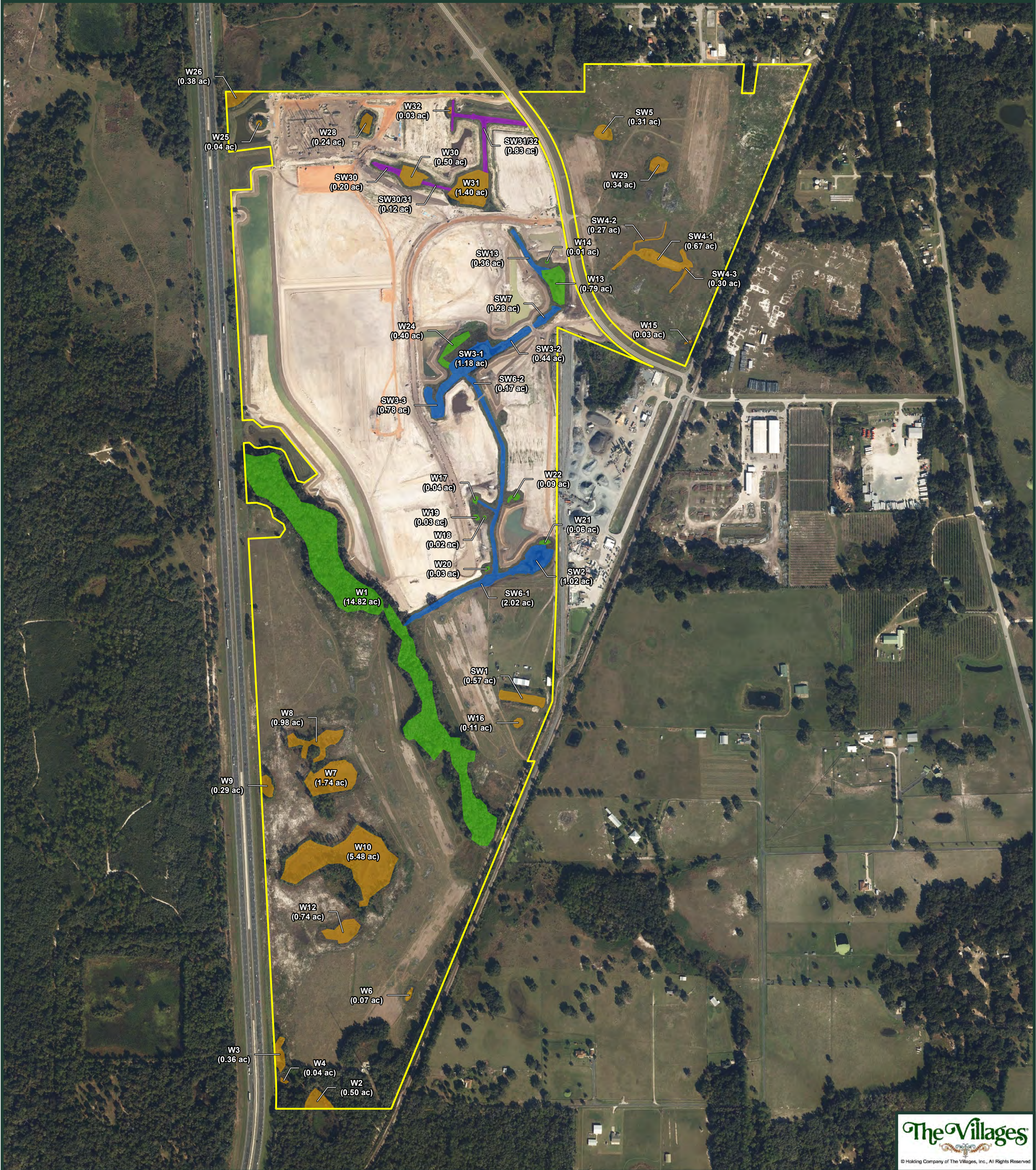
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Data Source (select)	Name and/or date and other relevant information
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** Data from nearby Bushnell, Florida provide both a short term and long term record of precipitation. In addition, DAREM for the WETS Station: Bushnell 1E indicate that precipitation from April, May and June represent normal rainfall for that period.
- C. Additional comments to support AJD:** Wetlands were delineated in accordance with the 1987 Wetlands Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region (Version 2.0).

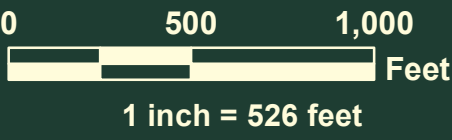
EXHIBIT 1

**NAVIGABLE WATERS PROTECTION RULE, CLEAN WATER ACT
SECTION 404 WATERS AND EXCLUDED WATERS OR FEATURES,
GOVERNOR RICK SCOTT INDUSTRIAL PARK,
SUMTER COUNTY, FLORIDA**



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Source: Project boundary and wetland lines supplied by Farmer Barley; 20161215. Sumter County road easement from Sumter County Property Appraiser. Aerial streamed from ESRI. ACOE data sheets collected on 20170417, 20170523, 20180110 and 20181016.



**BREEDLOVE, DENNIS
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Legend

- | | |
|------------------------------------|------------------------------------|
| Property Boundary (431.79 ac) | Excluded Waters or Features |
| Clean Water Act Section 404 Waters | Criterion (b)(1) (15.39 ac) |
| Criterion (a)(2) (6.25 ac) | Criterion (b)(5) (1.15 ac) |
| Criterion (a)(4) (16.29 ac) | |



EXHIBIT 1 NAVIGABLE WATERS PROTECTION RULE, CLEAN WATER ACT SECTION 404 WATERS AND EXCLUDED WATERS OR FEATURES, GOVERNOR RICK SCOTT INDUSTRIAL PARK, SUMTER COUNTY, FLORIDA

EXHIBIT 2

BUSHNELL SHORT TERM RAINFALL DATA

[illegible]

Site ID	Site Name	Parameter	Recorded Date	Aggregated Value	Units	No of Records	Data Source	Status	Quality Description
23048	Bushnell II SWFWMD	Rainfall, total	6/26/2020	0	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	6/27/2020	0	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	6/28/2020	0	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	6/29/2020	0.01	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	6/30/2020	0	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/1/2020	0	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/2/2020	0.09	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/3/2020	0.44	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/4/2020	2.07	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/5/2020	0.24	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/6/2020	1.26	In.	96	District- 15 minute	Approved	Good Continuous Records
23048	Bushnell II SWFWMD	Rainfall, total	7/7/2020	0	In.	31	District- 15 minute	Approved	Good Continuous Records

EXHIBIT 3

BUSHNELL LONG TERM RAINFALL DATA

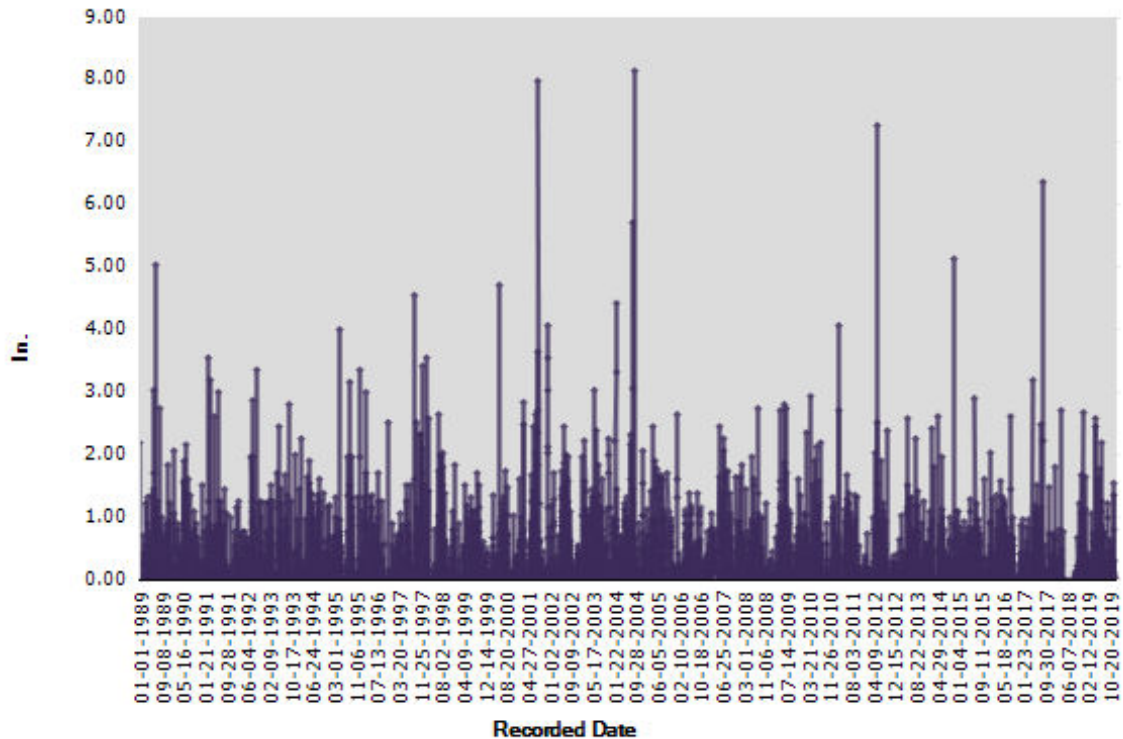


EXHIBIT 4

WETS STATION: BUSHNELL RAINFALL DATA

WETS Station: BUSHNELL 1 E, FL
Requested years: 1989 - 2019

DAREM

Month	Avg Max Temp	Avg Min Temp	Avg Mean Temp	Avg Precip	30% chance		Avg number days precip 0.10 or more	Avg Snowfall
					precip less than	precip more than		
Jan	70	45.2	57.6	3.27	1.69	3.99	4	-
Feb	74.4	49	61.7	2.2	1.17	2.68	3	0
Mar	77.9	51.8	64.9	2.88	1.49	3.42	4	0
Apr	82.9	57.3	70.1	2.28	1.3	2.77	3	0
May	88.4	63.2	75.8	3.17	1.53	3.87	4	0
Jun	90.4	69.6	80	7.58	4.84	9.14	9	0
Jul	91	71.4	81.2	7.24	5.22	8.54	10	0
Aug	91	71.6	81.3	7.05	5.46	8.16	10	0
Sep	89.5	70	79.7	6.18	3.39	7.53	8	0
Oct	84.1	62	73	2.49	1.24	2.99	3	0
Nov	77.1	53.1	65.1	1.97	1.04	2.32	2	0
Dec	72.2	48.7	60.5	2.51	1.06	3.06	3	-
Annual:				-	-			
Average	82.4	59.4	70.9	-	-	-	-	-
Total	-	-	-	48.82			63	-

2020 Measured Rainfall (in.) Bushnell, FL					Month		SCORE
					Condition	Weight	
April	4.22	3	1	3			
May	2.57	2	2	4			
June	5.42	2	3	6			
13 10-14 Normal Antecedent Conditions							