



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): November 13, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Jacksonville District/SAJ-2015-00866-Hillsborough County Tournament Soccer Complex

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: FL County/parish/borough: Hillsborough City: Tampa
Center coordinates of site (lat/long in degree decimal format): Lat. 27.967° N, Long. 82.350° W
Universal Transverse Mercator: 17N
Name of nearest waterbody: Tampa Bypass Canal

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Tampa Bypass Canal

Name of watershed or Hydrologic Unit Code (HUC): 0310020603--Lower Hillsborough River

[X] 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):

[X] Office (Desk) Determination. Date: October 20, 2017

[X] Field Determination. Date(s): August 03, 217

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no "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 are and are not "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
[X] 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: 3,500 width (ft) and/or acres.
Wetlands: acres.

c. Limits (boundaries) of jurisdiction based on: Established by OHWM.

Elevation of established OHWM (if known):

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

[X] Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: 1.) Wetland A (0.14 acre), Wetland B (0.17 acre) and Wetland G (0.08 acre) are isolated and non-jurisdictional pursuant to the January 2001 Supreme Court decision in Solid Waste Agency of Northern Cook County v. Army Corps of Engineers. 2.) The site contains a pit excavated in dry land from non-wetland soils for the purpose of obtaining fill material. This feature is non-jurisdictional based on the preamble to 33 CFR Part 328 in the

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.F.

November 13, 1986, Federal Register (51 FR 41217, Section 328.3). 3.) The site contains a stormwater pond permitted under Section 402 of the CWA for stormwater treatment. This feature is non-jurisdictional pursuant to 40 CFR 230.3(s)(7).

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:

Summarize rationale supporting determination:

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent":

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: 76,619 acres

Drainage area: 25,446 acres

Average annual rainfall: 54 inches

Average annual snowfall: 0 inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

Tributary flows directly into TNW.

Tributary flows through 4 tributaries before entering TNW.

Project waters are 1-2 river miles from TNW.

Project waters are 1 (or less) river miles from RPW.

Project waters are 1 (or less) aerial (straight) miles from TNW.

Project waters are 1 (or less) aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: NA.

Identify flow route to TNW⁵: The RPW ditch flows south through a series of man-made conveyance ditches approximately 2 miles before entering the Tampa Bypass Canal.

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

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.

Tributary stream order, if known:

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

Tributary is: Natural
 Artificial (man-made). Explain: Artificially excavated ditch.
 Manipulated (man-altered). Explain:

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

Average width: 15 feet
Average depth: 3 feet
Average side slopes: **3:1**.

Primary tributary substrate composition (check all that apply):

Silts Sands Concrete
 Cobbles Gravel Muck
 Bedrock Vegetation. Type/% cover:
 Other. Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: Relatively stable.

Presence of run/riffle/pool complexes. Explain: NA.

Tributary geometry: **Relatively straight**

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: **Seasonal flow**

Estimate average number of flow events in review area/year: **20 (or greater)**

Describe flow regime: Steady flow in wet season, lighter flow during dry season. The tributary had flowing water during the August, 03, 2017, site visit. The tributary has relatively permanent flowing or standing water at least seasonally and likely greater than three months out of the year. A water is "seasonal" when it has predictable flow during wet seasons in most years.

Other information on duration and volume: The tributary receives runoff from the adjacent uplands, roadways and railway.

Surface flow is: **Discrete and confined.** Characteristics: Water flows within the ditch banks and is confined to culverts under road crossings.

Subsurface flow: **Unknown.** Explain findings: The site was historically used as a disposal area for the Tampa Bypass Canal dredge and contains approximately 3 feet of clay over limerock. Because the wetlands are situated on top of this clay layer, subsurface flow between the wetlands and RPW is not expected. During the August 03, 2017, site visit, the Corps observed that rainfall typically ponds on the site.

Dye (or other) test performed:

Tributary has (check all that apply):

Bed and banks
 OHWM⁶ (check all indicators that apply):
 clear, natural line impressed on the bank the presence of litter and debris
 changes in the character of soil destruction of terrestrial vegetation
 shelving the presence of wrack line
 vegetation matted down, bent, or absent sediment sorting
 leaf litter disturbed or washed away scour
 sediment deposition multiple observed or predicted flow events
 water staining abrupt change in plant community
 other (list):
 Discontinuous OHWM.⁷ Explain:

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

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

⁶A 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.

⁷Ibid.

(iii) Chemical Characteristics:

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

Explain: The tributary is a ditch which receives runoff from adjacent uplands, roadways and railway. Water is dark/tannic.

Identify specific pollutants, if known: The Tampa Bypass Canal (TNW into which the tributary flows) is categorized as impaired for dissolved oxygen and nutrients (Chlorophyll-a) by the Florida Department of Environmental Protection. The waterway also has a fish advisory in effect. Dissolved oxygen decreases as a result of increased algal growth, which occurs when the water contains excess nutrients and bacteria. The watershed is mostly urban and built-up. Approximately 18% of the watershed is used for agriculture.

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

- Riparian corridor. Characteristics (type, average width):
- Wetland fringe. Characteristics:
- Habitat for:
 - Federally Listed species. Explain findings: Potential wood stork foraging habitat in areas with less vegetation.
 - Fish/spawn areas. Explain findings: May support mosquitofish or other small species.
 - Other environmentally-sensitive species. Explain findings:
 - Aquatic/wildlife diversity. Explain findings: Support for amphibians, reptiles, insects and wading birds.

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: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:

Flow is: **Pick List**. Explain:

Surface flow is: **Pick List**

Characteristics:

Subsurface flow: **Pick List**. Explain findings:

- Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

Directly abutting

Not directly abutting

Discrete wetland hydrologic connection. Explain:

Ecological connection. Explain:

Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are **Pick List** river miles from TNW.

Project waters are **Pick List** aerial (straight) miles from TNW.

Flow is from: **Pick List**.

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:

Identify specific pollutants, if known:

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

- Riparian buffer. Characteristics (type, average width):
- Vegetation type/percent cover. Explain:
- 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: **Pick List**

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

For each wetland, specify the following:

Directly abuts? (Y/N) Size (in acres) Directly abuts? (Y/N) Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

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:
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
4. **Significant Nexus Determination:** The Eleventh Circuit has concluded that the Kennedy standard is the sole method of determining CWA jurisdiction in that Circuit (*United States v. McWane, Inc., et al.*, 505 F.3d 1208 [11th Cir. 2007]); therefore, unless the aquatic resources are traditional navigable waters or wetlands adjacent to traditional navigable waters, the Corps needs to conduct a significant nexus determination on all other waters in order to determine jurisdiction under the CWA. The Corps has determined that for this review, the subject tributary, in combination with similarly situated waters, has more than an insubstantial or speculative effect on the physical, chemical, and biological integrity of the downstream TNW, as described below.
- 5.
6. The following represents the significant nexus finding for the RPW ditches and similarly situated waters:
7. **PHYSICAL:** The tributary receives rainfall and stormwater runoff from adjacent uplands, roads and railway, and transports this water and sediment load downstream. Flows from the tributary and similarly situated tributaries affect the duration, frequency and volume of freshwater flow into the Tampa Bypass Canal and Hillsborough Bay, the receiving TNWs.
8. **CHEMICAL:** The tributary transfers pollutants from the adjacent land uses to the downstream TNW. Contributing pollutants from the land uses in the watershed include animal wastes (manure/fecal coliform bacteria), petroleum wastes, fertilizers and pesticides (excess nitrogen and phosphorous), which cumulatively have led to an impairment rating of the Tampa Bypass Canal and Hillsborough Bay. This demonstrates an observable chemical functional relationship between the tributary and similarly situated waters, and the downstream TNW. These chemical contributions occurring upstream negatively affect aquatic resources downstream and can contribute to eutrophication and algal blooms.

9. **BIOLOGICAL:** The tributary, in combination with similarly situated waters, provides foraging habitat for wading birds and habitat for reptiles, amphibians, fish and aquatic insects, including species which move between aquatic and upland environments during their life cycles. The biological functions provided by the tributary addressed in this JD are exported to the downstream TNW.

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:

TNWs: linear feet width (ft), Or, acres.
 Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**

Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
 Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: The tributary had flowing water during the August, 03, 2017, site visit. The tributary has relatively permanent flowing or standing water at least seasonally and likely greater than three months out of the year. A water is "seasonal" when it has predictable flow during wet seasons in most years.

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

Tributary waters: 3,500 linear feet width (ft).
 Other non-wetland waters: acres.
Identify type(s) of waters:

3. **Non-RPWs⁸ that flow directly or indirectly into TNWs.**

Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

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

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

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
 Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:
 Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

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

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

Wetlands that do not directly abut an RPW, but 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 acreage estimates for jurisdictional wetlands in the review area: acres.

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.

⁸See Footnote # 3.

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: _____
- Other: (explain, if not covered above): **The site contains a pit excavated in dry land from non-wetland soils for the purpose of obtaining fill material. This feature is non-jurisdictional based on the preamble to 33 CFR Part 328 in the November 13, 1986, Federal Register (51 FR 41217, Section 328.3). The site also contains a stormwater pond permitted under Section 402 of the CWA for stormwater treatment. This feature is non-jurisdictional pursuant to 40 CFR 230.3(s)(7).**

obtaining fill material. This feature is non-jurisdictional based on the preamble to 33 CFR Part 328 in the November 13, 1986, Federal Register (51 FR 41217, Section 328.3). The site also contains a stormwater pond permitted under Section 402 of the CWA for stormwater treatment. This feature is non-jurisdictional pursuant to 40 CFR 230.3(s)(7).

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: 0.39 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: _____ 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):

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

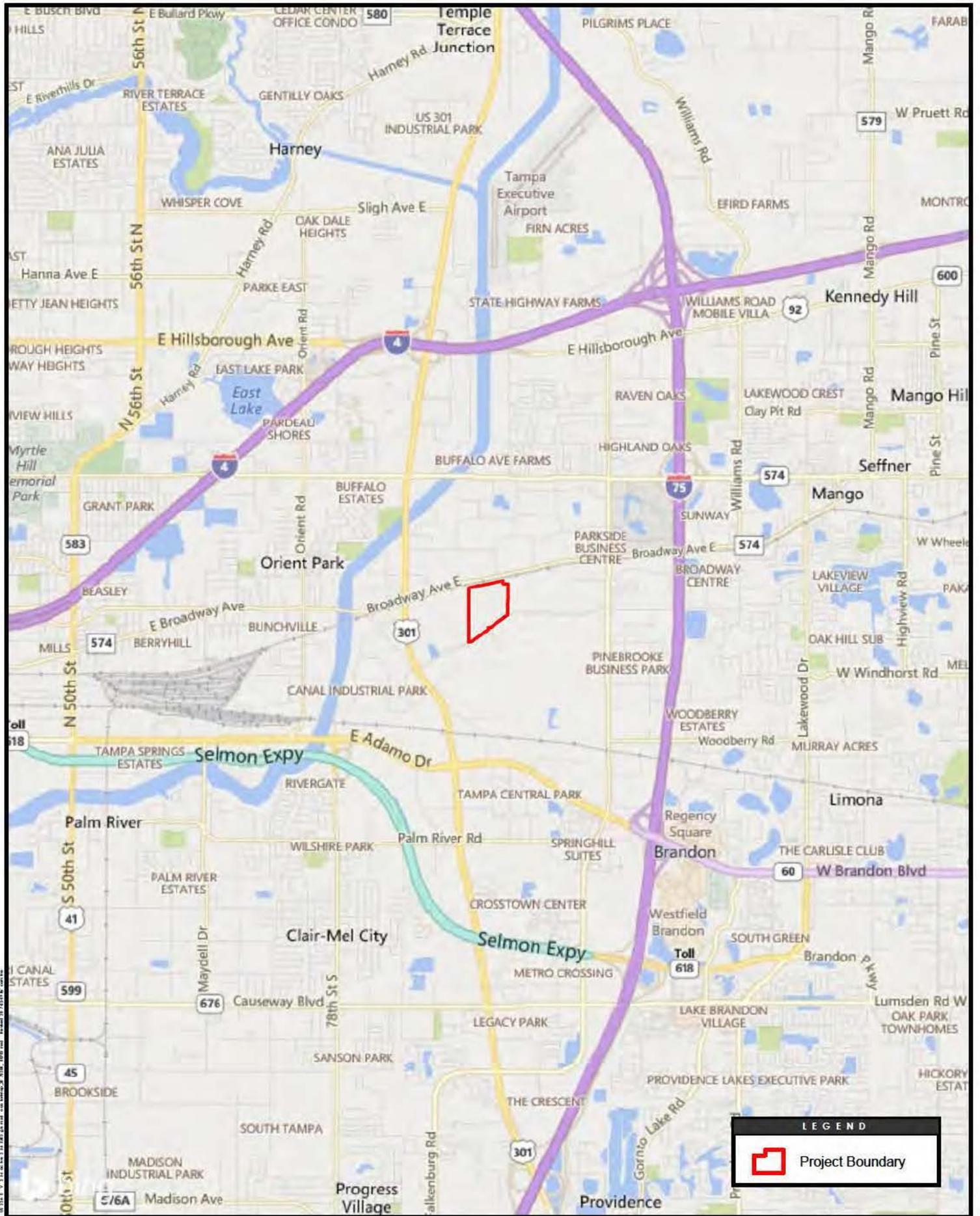
¹⁰ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- 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: .
- USDA Natural Resources Conservation Service Soil Survey. Citation: .
- 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): Provided by applicant (2017); Google Earth (2017).
or Other (Name & Date): Site photos taken by the Corps (August 03, 2017).
- Previous determination(s). File no. and date of response letter: .
- Applicable/supporting case law: .
- Applicable/supporting scientific literature: .
- Other information (please specify):

<http://www.tampabay.wateratlas.usf.edu/river/?wbodyid=70&wbodyatlas=river>

<http://www.tampabay.wateratlas.usf.edu/watershed/geography.asp?wshedid=187&wbodyatlas=watershed>.

B. ADDITIONAL COMMENTS TO SUPPORT JD: If it can be demonstrated that the tributary has a bed and bank, and an OHWM, and is part of a tributary system to a traditional navigable water or an interstate water, and, therefore, can transport pollutants, flood waters or other materials to a traditional navigable water or interstate water, it is generally expected that the tributary, along with the other tributaries in the watershed (the "similarly situated" waters), can be demonstrated to have a significant nexus with the downstream traditional navigable water or interstate water. This expectation is based on the significant harm that pollutants can have on the physical, chemical, or biological integrity of the downstream traditional navigable water or interstate water. The presence of a bed and bank and an OHWM are physical indicators of flow and it is likely that flows through all of the tributaries collectively in a watershed with the above characteristics are sufficient to transport pollutants, or other materials downstream to the traditional navigable water or interstate water in amounts that would significantly affect its chemical, physical or biological integrity.



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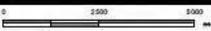


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Hillsborough County Tournament Sports Complex

Location Map
 February 2017

Stantec Consulting Services Inc.
 6900 Professional Parkway East
 Sarasota, FL 34240
 Tel: 941.907.6900
 Fax: 941.907.6911





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| LEGEND | |
|--------|-------------------------------------|
| | Project Boundary |
| | USACE Data Form Sample Location |
| | Non-Jurisdictional Wetland, 0.39 ac |
| | Other Waters of the U.S., 2.06 ac |



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Hillsborough County Tournament Sports Complex
USACE Non-Jurisdictional Wetlands and Other Waters of the U.S.
 February 2017

Stantec Consulting Services Inc.
 6900 Professional Parkway East
 Sarasota, FL 34240
 Tel: 941.907.6900
 Fax: 941.907.6911



SAJ-2015-00866
Hillsborough County Tournament Sports Complex
Pink polygon is review area
Blue line is flow route to TNW, Tampa Bypass Canal

