



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT  
701 SAN MARCO BOULEVARD  
JACKSONVILLE, FLORIDA 32207-8137

CESAJ-RD-WT

19 November 2025

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023),<sup>1</sup> SAJ-2015-02703

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.<sup>2</sup> AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.<sup>3</sup> For the purposes of this AJD, we have relied on section 10 of the Rivers and Harbors Act of 1899 (RHA),<sup>4</sup> the Clean Water Act (CWA) implementing regulations published by the Department of the Army in 1986 and amended in 1993 (references 2.a. and 2.b. respectively), the 2008 *Rapanos-Carabell* guidance (reference 2.c.), and other applicable guidance, relevant case law and longstanding practice, (collectively the pre-2015 regulatory regime), and the *Sackett* decision (reference 2.d.) in evaluating jurisdiction.

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. The features addressed in this AJD were evaluated consistent with the definition of “waters of the United States” found in the pre-2015 regulatory regime and consistent with the Supreme Court’s decision in *Sackett*. This AJD did not rely on the 2023 “Revised Definition of ‘Waters of the United States,’” as amended on 8 September 2023 (Amended 2023 Rule) because, as of the date of this decision, the Amended 2023 Rule is not applicable in this state due to litigation.

1. SUMMARY OF CONCLUSIONS.

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<sup>1</sup> While the Supreme Court’s decision in *Sackett* had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

<sup>2</sup> 33 CFR 331.2.

<sup>3</sup> Regulatory Guidance Letter 05-02.

<sup>4</sup> USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

<b>Name of Aquatic Resource</b>	<b>Acres (ac)/ Linear Feet (LF)</b>	<b>Waters of the US</b>	<b>Section 404 / Section 10</b>
Wetland W1	11.3 ac	Non-Jurisdictional	N/A
Wetland W2	1.82 ac	Non-Jurisdictional	N/A
Wetland W3	2 ac	Non-Jurisdictional	N/A
Wetland W4	0.016 ac	Non-Jurisdictional	N/A
Wetland W5	0.49 ac	Non-Jurisdictional	N/A
Wetland W6	0.057 ac	Non-Jurisdictional	N/A
Wetland W7	0.32 ac	Non-Jurisdictional	N/A
Wetland W8	8.25 ac	Non-Jurisdictional	N/A
Wetland W9	0.043 ac	Non-Jurisdictional	N/A
Wetland W10	2.68 ac	Non-Jurisdictional	N/A
Wetland W11	1.8 ac	Non-Jurisdictional	N/A
Wetland W12	3.3 ac	Non-Jurisdictional	N/A
Wetland W13	7.23 ac	Non-Jurisdictional	N/A
Wetland W14	0.36 ac	Non-Jurisdictional	N/A
Wetland W15	0.34 ac	Non-Jurisdictional	N/A
Wetland W16	0.85 ac	Non-Jurisdictional	N/A
Wetland W17	0.08 ac	Non-Jurisdictional	N/A
Wetland W18	0.58 ac	Non-Jurisdictional	N/A
Wetland W19	0.05 ac	Non-Jurisdictional	N/A
Wetland W20	0.149 ac	Non-Jurisdictional	N/A
SW1 (ditch)	0.31 ac	Non-Jurisdictional	N/A
SW2 (pond)	0.3 ac	Non-Jurisdictional	N/A
SW3 (ditch)	0.091 ac	Non-Jurisdictional	N/A
SW4 (pond)	1.15 ac	Non-Jurisdictional	N/A

2. REFERENCES.

- a. Final Rule for Regulatory Programs of the Corps of Engineers, 51 FR 41206 (November 13, 1986).
- b. Clean Water Act Regulatory Programs, 58 FR 45008 (August 25, 1993).
- c. U.S. EPA & U.S. Army Corps of Engineers, Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in *Rapanos v. United States & Carabell v. United States* (December 2, 2008)

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

- d. *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023)
  - e. U.S. EPA, Memorandum to the Field between the U.S. Department of the Army, U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency Concerning the Proper Implementation of “Continuous Surface Connection” Under the Definition of “Waters of the United States” Under the Clean Water Act (March 12, 2025)
3. REVIEW AREA. The review area is ±506-acre project located immediately west of County Road 33 within Sections 21, 22, 27, & 28, Township 20 South, and Range 24 East in Groveland, Lake County, Florida at 28.7309 latitude, -81.9076 longitude. A prior Approved Jurisdictional Determination was issued on November 17, 2015.
  4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), INTERSTATE WATER, OR THE TERRITORIAL SEAS TO WHICH THE AQUATIC RESOURCE IS CONNECTED. Palatlahaha River is the nearest TNW. The aquatic resources do not flow to the TNW.
  5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, INTERSTATE WATER, OR THE TERRITORIAL SEAS. The aquatic resources within the review area have no direct flow path to the nearest TNW.
  6. SECTION 10 JURISDICTIONAL WATERS<sup>5</sup>: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.<sup>6</sup> N/A
  7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the pre-2015 regulatory regime and consistent with the Supreme Court’s decision in *Sackett*. List each aquatic resource separately, by name,

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<sup>5</sup> 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as “navigable in law” even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

<sup>6</sup> This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of “waters of the United States” in the pre-2015 regulatory regime. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.

- a. TNWs (a)(1): N/A
- b. Interstate Waters (a)(2): N/A
- c. Other Waters (a)(3): N/A
- d. Impoundments (a)(4): N/A
- e. Tributaries (a)(5): N/A
- f. The territorial seas (a)(6): N/A
- g. Adjacent wetlands (a)(7): N/A

## 8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified as “generally non-jurisdictional” in the preamble to the 1986 regulations (referred to as “preamble waters”).<sup>7</sup> Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA as a preamble water. N/A
- b. Describe aquatic resources and features within the review area identified as “generally not jurisdictional” in the *Rapanos* guidance. Include size of the aquatic resource or feature within the review area and describe how it was determined to be non-jurisdictional under the CWA based on the criteria listed in the guidance. N/A
- c. Describe aquatic resources and features identified within the review area as waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA. Include the size of the waste treatment system within

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<sup>7</sup> 51 FR 41217, November 13, 1986.

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

the review area and describe how it was determined to be a waste treatment system. N/A

- d. Describe aquatic resources and features within the review area determined to be prior converted cropland in accordance with the 1993 regulations (reference 2.b.). Include the size of the aquatic resource or feature within the review area and describe how it was determined to be prior converted cropland. N/A
- e. Describe aquatic resources (i.e. lakes and ponds) within the review area, which do not have a nexus to interstate or foreign commerce, and prior to the January 2001 Supreme Court decision in “*SWANCC*,” would have been jurisdictional based solely on the “Migratory Bird Rule.” Include the size of the aquatic resource or feature, and how it was determined to be an “isolated water” in accordance with *SWANCC*. N/A
- f. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the pre-2015 regulatory regime consistent with the Supreme Court’s decision in *Sackett* (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

<b>Name of Aquatic Resource</b>	<b>Acres (ac)/ Linear Feet (LF)</b>	<b>Rationale</b>
Wetland W1	11.3 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps’ Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 1 is surrounded by uplands. Therefore, Wetland 1 does not abut an (a)(1)-(a)(6) water and is a non-adjacent

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W2	1.82 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 2 is surrounded by uplands. Therefore, Wetland 2 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W3	2 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 3 is surrounded by uplands. Therefore, Wetland 3 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W4	0.016 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map,

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		<p>NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 4 is surrounded by uplands. Therefore, Wetland 4 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act as defined by 33 CFR Part 328.3(a).</p>
Wetland W5	0.49 ac	<p>Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 5 is surrounded by uplands. Therefore, Wetland 5 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act as defined by 33 CFR Part 328.3(a).</p>
Wetland W6	0.057 ac	<p>Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding</p>

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		<p>areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 6 is surrounded by uplands. Therefore, Wetland 6 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.</p>
Wetland W7	0.32 ac	<p>Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 7 is surrounded by uplands. Therefore, Wetland 7 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.</p>
Wetland W8	8.25 ac	<p>Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 8 is surrounded</p>

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		by uplands. Therefore, Wetland 8 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W9	0.043 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 9 is surrounded by uplands. Therefore, Wetland 9 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W10	2.68 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 10 is surrounded by uplands. Therefore, Wetland 10 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W11	1.8 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 11 is surrounded by uplands. Therefore, Wetland 11 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W12	3.3 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 12 is surrounded by uplands. Therefore, Wetland 12 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W13	7.23 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		<p>areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 13 is surrounded by uplands. Therefore, Wetland 13 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.</p>
Wetland W14	0.36 ac	<p>Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 14 is surrounded by uplands. Therefore, Wetland 14 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.</p>
Wetland W15	0.34 ac	<p>Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 15 is surrounded</p>

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		by uplands. Therefore, Wetland 15 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W16	0.85 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 16 is surrounded by uplands. Therefore, Wetland 16 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W17	0.08 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. Wetland 17 appears to extend offsite to the west. However, Wetland 17, including the offsite portion is surrounded by uplands. Therefore, Wetland 17 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

Wetland W18	0.58 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. Wetland 18 appears to extend offsite to the west. However, Wetland 18, including the offsite portion is surrounded by uplands. Therefore, Wetland 18 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W19	0.05 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. Wetland 19 appears to extend offsite to the west. However, Wetland 19, including the offsite portion, is surrounded by uplands. Therefore, Wetland 19 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
Wetland W20	0.149 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area and surrounding areas, the wetland exhibited hydric soils, hydrophytic vegetation, and indicators of hydrology, which satisfied the criteria set forth in the 1987 Corps' Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. However, Wetland 20 is surrounded by uplands. Therefore, Wetland 20 does not abut an (a)(1)-(a)(6) water and is a non-adjacent wetland that is not jurisdictional under Section 404 of the Clean Water Act.
SW1	0.31 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area SW1 is an upland dug ditch that does not have relatively permanent flow to an (a)(1)-(a)(6) water and therefore is not a jurisdictional tributary under Section 404 of the Clean Water Act.
SW2	0.3 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area SW2 is a man made pond that is surrounded by uplands and does not have a continuous surface connection to an (a)(1)-(a)(6) water and is not jurisdictional under Section 404 of the Clean Water Act.
SW3	0.091 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a

CESAJ-RD-WT

SUBJECT: Pre-2015 Regulatory Regime Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), SAJ-2015-02703

		desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area SW3 is a ditch that flows into another ditch to the east that does not have relatively permanent flow to an (a)(1)-(a)(6) water and therefore SW3 is not a jurisdictional tributary under Section 404 of the Clean Water Act.
SW4	1.15 ac	Based on a review of information submitted by Ecological Consulting Solutions, Inc., and a desktop review on November 3, 2025 including: aerial photography, a USGS quadrangle map, NRCS Soil Maps, a review of the National Hydrologic Dataset, Flood Hazard Map, LiDAR and DEP Hillshade maps, Historical Aerials, and photographs of the review area SW4 is a dug pond that flows into a ditch to the east during storm events. The ditch does not have relatively permanent flow, and therefore the pond does not have a continuous connection surface connection to an (a)(1)-(a)(6) water and is not jurisdictional under Section 404 of the Clean Water Act.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.

- a. Review Performed for Site Evaluation: Office (Desk) Determination. Date: November 3, 2025.
- b. Aquatic Resources delineation submitted by, or on behalf of, the requestor: Approved Jurisdictional Determination Request package including wetland delineation forms, associated data maps, aerials, and photos submitted on June 20, 2025.
- c. USGS 3D Elevation Program (3DEP) Map Service
- d. National Hydrography Dataset (NHD)

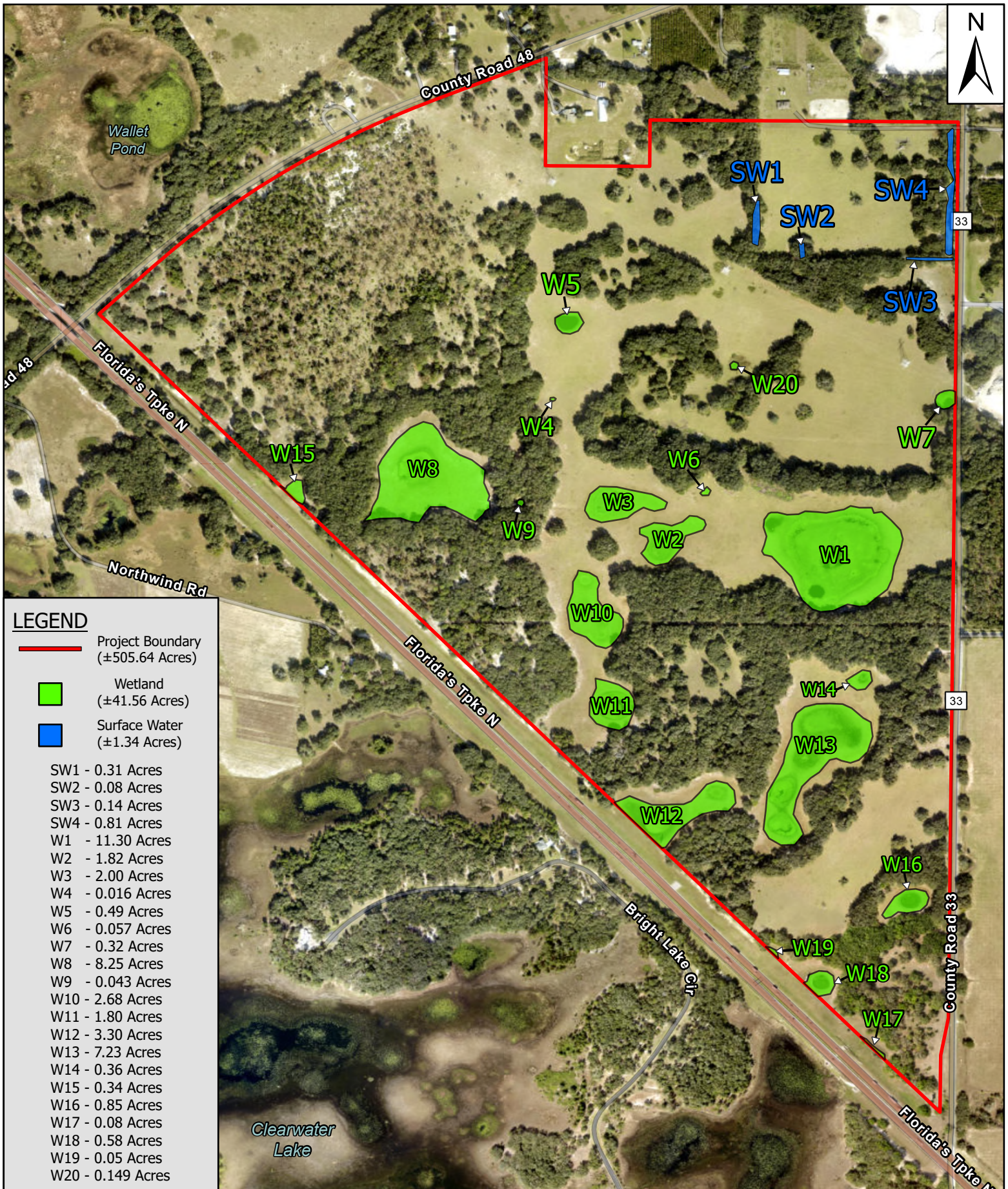
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e. Previous Approved Jurisdictional Determination issued on November 17, 2015.

10. OTHER SUPPORTING INFORMATION. N/A

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.



**LEGEND**

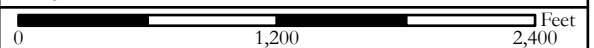
- Project Boundary  
(±505.64 Acres)
- Wetland  
(±41.56 Acres)
- Surface Water  
(±1.34 Acres)

- SW1 - 0.31 Acres
- SW2 - 0.08 Acres
- SW3 - 0.14 Acres
- SW4 - 0.81 Acres
- W1 - 11.30 Acres
- W2 - 1.82 Acres
- W3 - 2.00 Acres
- W4 - 0.016 Acres
- W5 - 0.49 Acres
- W6 - 0.057 Acres
- W7 - 0.32 Acres
- W8 - 8.25 Acres
- W9 - 0.043 Acres
- W10 - 2.68 Acres
- W11 - 1.80 Acres
- W12 - 3.30 Acres
- W13 - 7.23 Acres
- W14 - 0.36 Acres
- W15 - 0.34 Acres
- W16 - 0.85 Acres
- W17 - 0.08 Acres
- W18 - 0.58 Acres
- W19 - 0.05 Acres
- W20 - 0.149 Acres



**DENHAM VILLAGE  
LAKE COUNTY, FLORIDA  
WETLAND MAP**

Project #: 982.07.23    DATE: 10/08/25    FIGURE: 3



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