

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
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): January 24, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SWG-2013-00719

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Jim Wells City: Kopper Valley #1

Center coordinates of site (lat/long in degree decimal format): Lat. 27.471285 °, Long. -98.110248 °

Universal Transverse Mercator: Zone 14 R 3038951.00 N, 587908.00 E

Name of nearest waterbody: Derramadero de Machos

Name of watershed or Hydrologic Unit Code (HUC): 12110205, Baffin Bay Watershed

- Check if map/diagram of review area is 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: January 24, 2018
- Field Determination. Date(s):

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.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are **no** “*waters of the U.S.*” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: 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: Google Earth 2018, Provide by applicant Google earth, NWI Mapper, Topo Maps
- 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:
- U.S. Geological Survey Hydrologic Atlas: 12110205
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: USGS 1:24,000 Quad Name Ella, Texas
- USDA Natural Resources Conservation Service Soil Survey. Citation: No Hydric soils
- National wetlands inventory map(s). Cite name: Provided by applicant NWI Mapper.
- State/Local wetland inventory map(s):
- FEMA/FIRM maps: FEMA Panel 48273C0275E Effective 3/17/2014 Project area is outside 100 year flood zone.
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth, NWI Mapper, Topo Map
- or Other (Name & Date):
- Previous determination(s). File no. and date of response letter: SWG-2013-00719 August 15, 2013
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: There are no aquatic resources or potential aquatic resources in the review area that would warrant the application of a wetland delineation, significant nexus analysis, navigability determination, and/or delineation of the ebb and flow of

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

the tides. There are no features that have lateral limits of jurisdiction. (e.g., OHWM) Based on historical aerial imagery from Google Earth the proposed site has been used primarily for agricultural use and lacks any wetland parameters (hydric soils, hydrophytic vegetation, and wetland hydrology). Project site consists of a 7.3-acre open pit excavated to a depth of 20 to 25 feet below the ground level for borrow material. The excavated pit within the review area is being used as a stock pond for livestock.