

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): October 2, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SWG-2017-00646, Texas Department of Transportation Property, Approximately 5-acre Tract, Potential FEMA Housing Site

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Aransas County City: Rockport
Center coordinates of site (lat/long in degree decimal format): Lat. 28.065118°, Long. -97.061438°
Universal Transverse Mercator: 14R 690510 m E, 3105932.52 m N
Name of nearest waterbody: Aransas Bay
Name of watershed or Hydrologic Unit Code (HUC): 12100405 Aransas Bay

- 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:
 Field Determination. Date(s): September 29, 2017

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:
 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: 12100405 Aransas Bay
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000; Rockport, Texas (2016 and 2013)
 USDA Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey (accessed 10/2/2017)
 National wetlands inventory map(s). Cite name: NWI Mapper (accessed 10/2/2017)
 State/Local wetland inventory map(s):
 FEMA/FIRM maps: Panel 48007C0235G (2/17/2016); Zone X
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Google Earth Aerial (2017, 2016, 2014)
 or Other (Name & Date): Photos taken during the site visit (refer to admin. record)
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify):

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.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The 2016 and 2013 USGS topographic maps do not show mapped aquatic features within the review area. The entire review area is mapped as Galveston-Mustang complex soils, which has a hydric rating of 50 percent. A breakdown of the map unit components and their individual hydric status in the review area revealed that the most prominent soil, Galveston, in the complex typically occurs on foredunes and does not meet hydric soil criteria. The five other soil components in this complex do meet hydric soil criteria and are typically found in depressions, wind-tidal flats, marine terraces, and strand plains. During the site visit, the review area was surveyed for these types of features but none were observed. Review of the NWI map indicates that aquatic resources (i.e. palustrine emergent wetlands) were mapped within 0.1 mile of the review area, but no features were mapped within the review area boundary. The site visit confirmed that no aquatic features occur within the review area boundary, but it was noted that a roadside drainage ditch occurs between the northern review area boundary and Chaparral Street. Since the ditch occurs entirely outside of the review area boundary, its jurisdictional status is not addressed by this determination. FEMA floodplain maps indicated that the review area occurs outside of the 100-year floodplain. Google Earth aerial imagery revealed several access roads throughout the review area, including one that traverses the entire western boundary of the review area. No depressions, changes in vegetative cover or color, or other indicators of potential aquatic features were observed in the aerial imagery review. Based on a review of the data collected during the desktop review and observations made during the site visit, it was determined that there are no aquatic resources or potential aquatic resources in the approximately 5-acre review area that would warrant the application of a wetland delineation, significant nexus analysis, navigability determination, or delineation of the ebb and flow of the tides. There are no features that exhibit lateral limits of jurisdiction (e.g. OHWM); therefore, the review area was determined to consist entirely of dry land.