



**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): 7/2/2021

ORM Number: SWG-2020-00817

Associated JDs: N/A

Review Area Location¹: State/Territory: Texas City: Port Arthur County/Parish/Borough: Jefferson

Center Coordinates of Review Area: Latitude 29.921318 Longitude -93.960572

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: 20 August 2020 site visit confirmed the site does not exhibit the three required wetland criteria.
- ☐ 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	
N/A.	N/A.	N/A.	N/A.	

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	
N/A.	N/A.	N/A.	N/A.	

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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Culvert WC 04	0.29	acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	Culvert WC 04 is an underground or buried portion of a constructed or excavated channel network used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the drainage network neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(1) exclusion.
Culvert WC 05	0.38	acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	Culvert WC 04 is an underground or buried portion of a constructed or excavated channel network used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the drainage network neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(1) exclusion.
Tributary WC 01a (Main “A” Canal)	0.416	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Tributary WC 01a is an excavated or constructed channel constructed in non-jurisdictional waters to convey, treat, infiltrate, or store stormwater run-off. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 01b (Main “A” Canal)	0.361	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Tributary WC 01b is an excavated or constructed channel constructed in non-jurisdictional waters to convey, treat, infiltrate, or store stormwater run-off. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 01c (Main “A” Canal)	6.065	acre(s)	(b)(10) Stormwater control feature constructed or	Tributary WC 01c is an excavated or constructed channel constructed in non-jurisdictional waters to convey, treat, infiltrate, or store stormwater run-off. Historic topographic quadrangle maps

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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 03 (Main “B” Canal)	1.396	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Tributary WC 03 is an excavated or constructed channel constructed in non-jurisdictional waters to convey, treat, infiltrate, or store stormwater run-off. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 04a	0.355	acre(s)	(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).	Tributary WC 04a is an excavated or constructed channel used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 04b	0.110	acre(s)	(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).	Tributary WC 04b is an excavated or constructed channel used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 05a	0.224	acre(s)	(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).	Tributary WC 05a is an excavated or constructed channel used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Tributary WC 05b	0.139	acre(s)	(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).	Tributary WC 05b is an excavated or constructed channel used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 06 (Main “B” Canal)	0.835	acre(s)	(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).	Tributary WC 06 is an excavated or constructed channel used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Tributary WC 07	1.037	acre(s)	(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).	Tributary WC 07 is an excavated or constructed channel used to convey surface water. Historic topographic quadrangle maps and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 01	1.63	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 01 is forested depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 04	0.494	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 04 is scrub-shrub depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
			physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.	
Wetland A 06a	0.405	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 06a is herbaceous depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 06b	0.852	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 06b is forested depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 08	0.535	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 08 is forested depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Wetland A 17	6.057	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 17 is scrub-shrub depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 19	3.668	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 19 is herbaceous depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 24a	3.236	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 24a is forested depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 24b	0.527	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 24b is scrub-shrub depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by



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REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
			an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.	
Wetland A 26	3.652	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 26 is forested depression. Based on historic topographic quadrangle maps and aerial photos this wetland neither abuts an (a)(1) – (a)(3) water, nor is inundated by flooding from an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature, nor is physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure. Therefore, this feature meets the 33 CFR 328.3(b)(1) non-adjacent wetland exclusion.
Wetland A 02	0.135	acre(s)	(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).	Wetland A 02 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 03	0.437	acre(s)	(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).	Wetland A 03 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 05	0.894	acre(s)	(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).	Wetland A 05 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland A 07	0.171	acre(s)	(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).	Wetland A 07 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 09	0.070	acre(s)	(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).	Wetland A 09 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 10	0.088	acre(s)	(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).	Wetland A 10 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 11	0.370	acre(s)	(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).	Wetland A 11 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 12	0.157	acre(s)	(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	Wetland A 12 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

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			conditions of (c)(1).	
Wetland A 13	0.140	acre(s)	(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).	Wetland A 13 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 14	0.350	acre(s)	(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).	Wetland A 14 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 15	0.199	acre(s)	(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).	Wetland A 15 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 16	0.072	acre(s)	(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).	Wetland A 16 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 20	1.120	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an	Wetland A 20 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
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			(a)(4) water that do not satisfy the conditions of (c)(1).	(a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 21	0.332	acre(s)	(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).	Wetland A 21 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 25	0.207	acre(s)	(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).	Wetland A 25 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 27	0.881	acre(s)	(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).	Wetland A 27 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 28	0.191	acre(s)	(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).	Wetland A 28 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 29	0.448	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of	Wetland A 29 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 30	0.410	acre(s)	(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).	Wetland A 30 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 31	1.512	acre(s)	(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).	Wetland A 31 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 33	0.018	acre(s)	(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).	Wetland A 33 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 34	2.724	acre(s)	(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).	Wetland A 34 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 35	1.670	acre(s)	(b)(5) Ditch that is not an (a)(1) or	Wetland A 35 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
		(a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 36	0.188	acre(s)	(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). Wetland A 36 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.
Wetland A 37	0.247	acre(s)	(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). Wetland A 37 is herbaceous area associated with a roadside drainage ditch. Detailed LiDAR elevation data, historic topographic quadrangle maps, and aerial photos confirm the channel neither relocates, nor was constructed in an (a)(1-4) water. Therefore, this feature meets the 33 CFR 328.3(b)(5) exclusion.

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: [Waters of the U.S. Delineation Report – Draft, US 69 from 75th Street to 39th Street and SH 73 from SH 215 to 9th Avenue\(US69/SH 73 Interchange\)\(CSJ 0200-16-020\) – November 2020.](#)

This information is sufficient for purposes of this AJD.

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

☐ Data sheets prepared by the Corps: [N/A.](#)

☒ Photographs: [Aerial and Other: 2018 National Agriculture Imagery Program \(NAIP\) 0.6-meter CIR; Google Earth Aerial Imagery \(1937-2020\).](#)

☐ Corps site visit(s) conducted on: [N/A.](#)

☒ Previous Jurisdictional Determinations (AJDs or PJDs): [SWG-2005-00611; SWG-2008-00034; SWG-2008-00906; SWG-2012-00990](#)

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



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

- ☒ USDA NRCS Soil Survey: [Web Soil Survey](#), [National Cooperative Soil Survey](#) – Jefferson County, Texas.
- ☐ USFWS NWI maps: [Title\(s\)](#) and/or [date\(s\)](#).
- ☒ USGS topographic maps: [7.5-minute topographic quadrangle maps](#) – Port Arthur North, Texas (1943, 1957, 1993, 2013).

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM): Jefferson County, Texas and Incorporated Areas, Panel Number 48245C0340F (Preliminary). Flood Zone: AH (Flood depths of 1 to 3 feet, usually areas of ponding). Texas Water Development Board (TWDB), Strategic Mapping Program (StratMap): 2017 Jefferson, Liberty, & Chambers Counties Light Detection and Ranging (LiDAR), 0.6-Meter Bare Earth Digital Elevation Model (DEM), North American Vertical Datum 1988 (meters).

B. Typical year assessment(s): [N/A.](#) Flood zone AH, 1% annual chance flood zone (100-year floodplain) due to ponding, not overbank flooding.

C. Additional comments to support AJD: [N/A.](#)