

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): March 17, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Galveston District, SWG-2019-00476

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Orange City: Port Neches
Center coordinates of site (lat/long in degree decimal format): Lat. 30.010783°, Long. -93.978434°
Universal Transverse Mercator: 15R 405640.20 m E 3320383.20 m N
Name of nearest waterbody: Neches River
Name of watershed or Hydrologic Unit Code (HUC): 12020003

- ☒ 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: March 16, 2023
- ☐ Field Determination. Date(s): [Click here to enter a date.](#)

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 Delineation Report: Provided by GRCS Dated: March 2019.
- ☒ 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: [Click here to enter text.](#)
- ☐ U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)
- ☐ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Earth Point Topographic Map Google Earth Layer: Accessed 15 March 2023
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS National Cooperative Soil Survey (NCSS) Google Earth Layer (http://casoilresource.lawr.ucdavis.edu/soil_web/kml/mapunits.kml): Accessed 15 March 2023
- ☒ National wetlands inventory map(s). Cite name: FWS NWI Online Mapper. (<http://www.fws.gov/wetlands/data/mapper.HTML>): Accessed 15 March 2023.
- ☐ State/Local wetland inventory map(s): [Click here to enter text.](#)
- ☒ FEMA/FIRM maps: ORANGE COUNTY UNINCORPORATED AREAS, Panel number 48361C0150D effective 12/16/2021 Flood Zone AE; Elevation 11 feet.
- ☐ 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth Aerial Photos (1938-2022)
- ☐ or ☐ Other (Name & Date): [Click here to enter text.](#)
- ☐ Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)
- ☐ Applicable/supporting case law: [Click here to enter text.](#)
- ☐ Applicable/supporting scientific literature: [Click here to enter text.](#)
- ☐ Other information (please specify): [Click here to enter text.](#)

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:

We have determined that based on all aforementioned desktop resources, there are no Waters of the United States on the subject site and therefore there will not be any discharge of dredged and/or fill material into any waters of the U.S., nor any work nor structures placed in/or affecting any navigable waters and as such, any discharge of dredged and/or fill material is not regulated by Section 404 nor Section 10 and will not require a Department of the Army permit.