

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**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): November 4, 2021**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SWG-2019-00707, Miramar Pointe, LLC**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Texas County/parish/borough: Calhoun City: Olivia

Center coordinates of site (lat/long in degree decimal format): Lat. 28.583594 ° N, Long. -96.453878 ° W

Universal Transverse Mercator: 14 R 749024 e 3164501 n

Name of nearest waterbody: Matagorda Bay

Name of watershed or Hydrologic Unit Code (HUC): 12100401; Central Texas Coastal

- ☒ 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: November 4, 2021
- ☐ 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: Aqua Strategies
- ☒ 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: SWG-2019-00707, AGCP ADS
- ☒ U.S. Geological Survey Hydrologic Atlas: 12100401, Central Texas Coastal
- ☐ USGS NHD data.
- ☒ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Keller Bay, Texas 1:24000
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Calhoun County, Texas
- ☒ National wetlands inventory map(s). Cite name: US Fish and Wildlife National Wetland Inventory Map
- ☐ State/Local wetland inventory map(s): [Click here to enter text.](#)
- ☒ FEMA/FIRM maps: 48057C0250E October 16, 2014, Calhoun County, Texas
- ☒ 100-year Floodplain Elevation is: Zone AE EL 11 (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth 1984-1990, 1995, 1996, 2005, 2007, 2008, 2009, 2011, 2013, 2016, and 2017
- ☐ 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.](#)

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:**

The entire 2.43-mile-long site lacks any presence of waters of the US; as such, is determined to be located wholly in dry land and is not subject to Corps jurisdiction.

<sup>1</sup> 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.