

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 18, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Galveston SWG-2001-01357 Reference table of Outfall 1 through 13 listed on last page.

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Hidalgo City: Weslaco

Center coordinates of site (lat/long in degree decimal format): Lat. 26.236841 °, Long. -98.008240 °

Universal Transverse Mercator: Zone 14 R 599056.20 E, 2902291.92 N

Name of nearest waterbody: Colorado Arroyo

Name of watershed or Hydrologic Unit Code (HUC): 12110208, South Laguna Madre

- 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: October 18, 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: Location Map submitted by L & G Engineering
- 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:12110208
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Donna, Texas
- USDA Natural Resources Conservation Service Soil Survey. Citation: Hidalgo County, Texas Effective 17, Sep 15, 2018
- National wetlands inventory map(s). Cite name: NWI Mapper
- State/Local wetland inventory map(s):
- FEMA/FIRM maps: FEMA Panel 480334 0450 C Effective 06/06/2000
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth 2018, Topographic Map
- or Other (Name & Date):
- Previous determination(s). File no. and date of response letter: SWG-2001-01357
- 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: The review site is surrounded by agricultural crop fields. The Project will require work

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.

within an irrigation canal. The irrigation canal appears to have been manmade, constructed in uplands based on topography and straight line course of canal, and is currently maintained with levees. These canals are not part of a surface tributary system, and do not expand the OHWM of any water of the US. Water from the Rio Grande is pumped into the ditches for irrigation needs. These canals are managed according to water demand (withdrawals) or water surpluses (releases); however, man-made retention structures hold water in the ditch for extended periods of time and can create palustrine conditions. Aerial photography and topographical maps do not show any indication of current or historical hydrology that is/was natural. These canals at various locations are not WOUS and are not subject to Section 404 of the CWA, or Section 10 of the Rivers and Harbors Act of 1899. Per 33 CFR 328.3(b)(4)(i), which states that artificially irrigated areas that would revert to dry land should application of water to that area cease are not considered waters of the US.

Canals 1 through 10

	Latitude	Longitude	Approximate miles
Outfall 1	26.185845	-98.009491	0.58
Outfall 2	26.195071	-98.010025	0.67
Outfall 3	26.210188	-98.005871	0.69
Outfall 4	26.216708	-98.005988	0.48
Outfall 5	26.220503	-98.005966	0.49
Outfall 6	26.227640	-98.008042	0.98
Outfall 7	26.235262	-98.010916	0.34
Outfall 8	26.245756	-98.012594	0.50
Outfall 9	26.256561	-98.012750	0.71
Outfall 10	26.260163	-98.008699	1.09
Outfall 11	26.270940	-98.008621	1.48
Outfall 12	26.278846	-98.004426	0.83
Outfall 13	26.290103	-98.005223	0.66