

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 26, 2019**
- B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SWG-2006-01921, Victoria County Navigation District, 80-ac Placement Area**
- C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Texas County/parish/borough: Victoria City: Victoria
Center coordinates of site (lat/long in degree decimal format): Lat. 28.650697°, Long. -96.945718 °
Universal Transverse Mercator: 14R 3171013.06mN 700779.34mE
Name of nearest waterbody: Victoria Barge Canal
Name of watershed or Hydrologic Unit Code (HUC): 12100403

- 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 26, 2019
- 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: Project plans provided by the applicant on 4 Feb 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:
- U.S. Geological Survey Hydrologic Atlas:
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Bloomington, Tx Quadrangle (1995)
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: USFWS NWI
- State/Local wetland inventory map(s):
- FEMA/FIRM maps: Victoria County, TX Panel Number 4806370200B (1987)
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth 1/2017 and 3/2011
- or Other (Name & Date):
- 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 80-acre review area occurs on a site where the topographic (1995) and NWI maps do not depict the presence of aquatic features. A comparison of aerial imagery from 2011 to 2017 indicates that the site was primarily utilized for agriculture, but was disturbed prior to December 2015. The soil survey for the review area indicates that the entire site consists of Mequin silty clay, which is a somewhat hydric soil with a 10% hydric soil rating. Based on the desktop review, the Corps has determined that there are no aquatic resources or potential aquatic resources in the 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. Additionally, there are no features that exhibit lateral limits of jurisdiction (e.g. OHWM) or wetland characteristics. Therefore, the Corps has determined that the 80-acre review area consists entirely of dry land.