

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): November 7, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Galveston, SWG-2018-00834 AR-1 & AR-2

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

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

Center coordinates of site (lat/long in degree decimal format): Lat. 26.225824 °, Long. -98.178286 °

Universal Transverse Mercator: Zone 14 R 582079.10 E, 2900952.96 N

Name of nearest waterbody: Colorado Arroyo

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

- 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 7, 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:
- 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: USGS 1:24K Quad Name: Faysville, Texas
- USDA Natural Resources Conservation Service Soil Survey. Citation: Hidalgo County, Texas Effective 09-15-2018
- National wetlands inventory map(s). Cite name: NWI Mapper
- State/Local wetland inventory map(s):
- FEMA/FIRM maps: FEMA Panel 480347005 C Effective 10/19/1982
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth 2017, USGS Topographic Maps
- or Other (Name & Date): Photos provided by Hidalgo County Commissioner precinct 2
- Previous determination(s). File no. and date of response letter:
- 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 area consists of two outfall structures that convey storm water run-off for residential properties to the west and east and agricultural run-off from the north along an existing right of way (ROW) West Eldora Road. Work primarily involves the maintenance of existing roads and Outfall structures within existing road right-of-ways (ROWs). Outfall structure 1 and

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.

outfall structure 2 convey storm water run-off into a man-made canal to the south. There are no features that have lateral limits of jurisdiction (e.g., OHWM). Based on historical aerial imagery from Google Earth the proposed site has been used primarily for residential and agricultural stormwater use and lacks any wetland parameters (hydric soils, hydrophytic vegetation, and wetland hydrology). The review area does not have a confined hydrological surface connection to any water of the United States. Proposed project will add new pavement to existing paved roads within the Right of Way (ROW) above the outfall structures. Per CFR 328.3(8)(b)(6) Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land are not considered waters of the US.