

**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):** March 11, 2019

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** SWG-2019-00171; No. 1

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

State: Texas County/parish/borough: Hildago City: Edinburgh  
Center coordinates of site (lat/long in degree decimal format): Lat. 26.336738 °, Long. -98.137611 °  
Universal Transverse Mercator: 14, 2913265 N 586059 E, NAD: 1983

Name of nearest waterbody: Unnamed reservoir  
Name of watershed or Hydrologic Unit Code (HUC): 12110208

- 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 14, 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: Davis-Penn Mortgage Co  
 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: Edinburgh; 1:24000  
 USDA Natural Resources Conservation Service Soil Survey. Citation: 1981 Soil Survey of Hidalgo County, Texas  
 National wetlands inventory map(s). Cite name: FWS Wetland Mapper  
 State/Local wetland inventory map(s):  
 FEMA/FIRM maps: 4803380020E; 6 June 2000  
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Google Earth, 14 Jan 1995, 27 Jun 2005, 31 May 2006, 25 Dec 2010, 24 Jun 2018  
 or  Other (Name & Date): Google Earth Street View, Bing Map Street View  
 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:** 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, and/or delineation

<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.

of the ebb and flow of the tides. There are no features that have lateral limits of jurisdiction. (e.g., OHWM), and the review area is outside of any 100-year flood zones. Based on historical aerial imagery from Google Earth and topographic maps, we determined that the proposed site was used primarily for agricultural purposes (crops) up until between 2003 and 2005 and is within an area that lacked any hydrological connections to navigable waters. Historical aerial photography shows a depressional feature was present within the review area in 1995 that probably retained sheet flow runoff from surrounding fields. The 1981 Soil Survey of Hidalgo County, Texas identifies the soil in the depressional feature as Tiocano Series, which is a hydric soil; however, historical aerial photography also showed that this area has been filled and graded since that determination was made. The area was cleared of vegetation between 2003 and 2005, graded between 2006 and 2007, filled between 2008 and 2010, and then re-graded between 2010 and 2014. Development of the surrounding area for residential use began in 2006 and included drainage improvements that now directs sheet flow in the area into drainage ditches. The recontouring and drainage improvements have been in place for at least five years and are now the normal circumstance for the area.