



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
5151 FLYNN PARKWAY, SUITE 306
CORPUS CHRISTI, TEXAS 78411-4318

February 16, 2024

Corpus Christi Field Office

SUBJECT: SWG-2020-00833; Approved Jurisdictional Determination and Permit Determination



Dear [REDACTED]:

This is in reference to the approved jurisdictional determination (AJD) request and permit determination request received on November 14, 2023, submitted by [REDACTED], to determine if the subject review area is subject to Corps of Engineers Jurisdiction and/or a Department of the Army (DA) permit is required for the place approximately 4,840 cubic yards (CY) of sand/fill base material into 0.508 acre of palustrine wetlands in order to develop six residential lots with a private access road that will include a firetruck turnaround. The review area is located at 3107 11th Street in Port Aransas, Nueces County, Texas.

Based on the review of the submitted information, site visits, resources available/used, and subsequent desk review, the Corps has determined that the 0.508 acre of palustrine wetlands within the 0.912-acre review area, depicted on the attached maps in 4 sheets, does not exhibit waters of the United States (US), subject to jurisdiction pursuant to Section 10 of the Rivers and Harbors Act of 1899 (Section 10) or Section 404 of the Clean Water Act (Section 404).

Wetlands on the site were identified using the Atlantic and Gulf Coastal Plain Region (Version 2.0) Supplement to the 1987 Corps of Engineers Wetland Delineation Manual, which requires under normal circumstances, a dominance of hydrophytic vegetation, wetland soils, and sufficient wetland hydrology indicators. The Corps also determined that Wetlands 1 and 2 do not abut navigable waters of the US, a jurisdictional tributary or a jurisdictional lake, pond, or impoundment; and are not inundated by flooding from a navigable water of the US, a jurisdictional tributary or a jurisdictional lake, pond or impoundment in a typical year. Therefore, Wetlands 1 and 2 are non-adjacent wetlands, are not a waters of the US, and are not subject to Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

The enclosed approved jurisdictional determination (AJD), dated February 16, 2024, is valid for 5 years from the date of this letter unless new information warrants a revision of the determination prior to the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331.5. Also enclosed is a combined Notification of Administrative Appeal Options and Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA to the Southwestern Division Office at the following address:

[Redacted address information]

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete; that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within **60 days** of the date of the NAP, noting the letter date is considered day 1. It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

If you have any questions regarding this determination, please contact me by telephone at [Redacted] or by e-mail at [Redacted]. To assist us in improving our service to you, please complete the survey found at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

[Redacted signature]

[Redacted contact information]

cc w/Encls:

[Redacted distribution list]



N
 SWG-2020-00833, 0.912-acre Review Area
 Aerial Photo (2023)

0 100 200 300 400 500 Feet

Texas Highway 38

Eleventh Street

Sandy Lane

Wetland 1 (0.45 ac)
 27.80735 N, 97.07865 W

Wetland 2 (0.058 ac)
 27.80705 N, 97.07802 W

Park Place