

U.S. ARMY CORPS OF ENGINEERS REGULATORY PROGRAM APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM) NAVIGABLE WATERS PROTECTION RULE

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 1/25/2021

ORM Number: SWG-2021-00043

Associated JDs: N/A

Review Area Location¹: State/Territory: Texas City: Houston County/Parish/Borough: Harris

Center Coordinates of Review Area: Latitude 29.678° Longitude -95.476°

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.
The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
There are "navigable waters of the United States" within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
There are "waters of the United States" within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size		§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³					
(a)(1) Name	(a)(1) Size		(a)(1) Criteria	Rationale for (a)(1) Determination	
N/A.	N/A.	N/A.	N/A.	N/A.	

Tributaries ((a)(2) waters):					
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination	
N/A.	N/A.	N/A.	N/A.	N/A.	

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):				
(a)(3) Name	(a)(3) Size		(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):					
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination	
N/A.	N/A.	N/A.	N/A.	N/A.	

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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D. Excluded Waters or Features

Excluded waters $((b)(1) - (b)(12))$:				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
D138-00-0000	18	linear	(b)(5) Ditch that is	The review area contains an upland cut, man-
(upland		feet	not an (a)(1) or	made drainage ditch (HCFCD No. D138-00-00)
Drainage Ditch)			(a)(2) water, and	not constructed in a (c)(1) or (a)(4). Brays
			those portions of a	Bayou is 231 linear feet away from this portion of
			ditch constructed in	ditch. This ditch does not extend the ordinary
			an (a)(4) water that	high watermark of Brays Bayou. This ditch is not
			do not satisfy the	a water of the US.
			conditions of (c)(1).	

III. SUPPORTING INFORMATION

- **A. Select/enter all resources** that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.
 - ☐ Information submitted by, or on behalf of, the applicant/consultant: Request for AJD, dated
 - 13 January 2021

This information is sufficient for purposes of this AJD.

Rationale: N/A

- □ Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: Aerial and Other: See Below Request for AJD, dated 13 January 2021
- ☐ Corps site visit(s) conducted on: Date(s).
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): N/A
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- ☐ USDA NRCS Soil Survey: Title(s) and/or date(s).
- ☐ USFWS NWI maps: Title(s) and/or date(s).

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Topo: 2016; 1920; and 2018 aerial 1 foot-contours
USDA Sources	N/A
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	Historic Aerial maps: 1953, 1956, 1964, 1972, and 2020
FEMA/FIRM maps	N/A

B. Typical year assessment(s): N/A

C. Additional comments to support AJD: N/A

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.

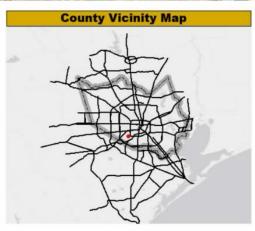


D138-00-00 box extention



Channel System OPEN STORM SEWER HISTORICAL Highways - Regional ___ Freeway SH99 GRAND PARKWAY STAR*Map® Basemap Labe STAR*Map® Basemap FREEWAY FRONTAGE TOLLWAY

Legend



Notes

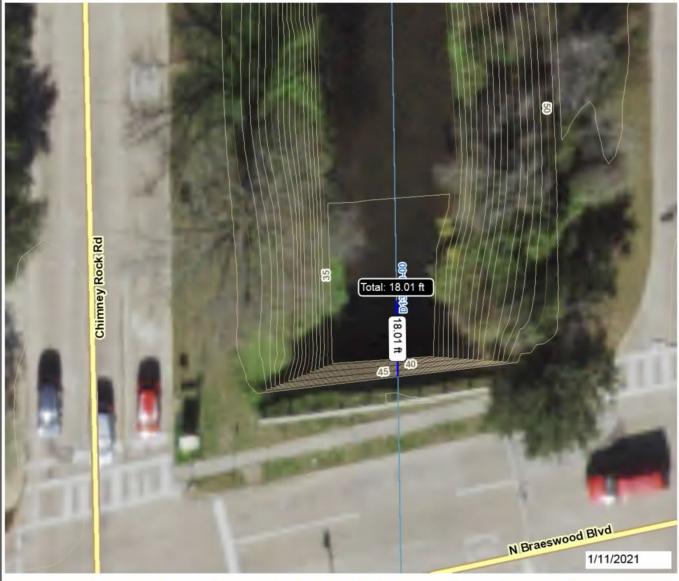
1:564



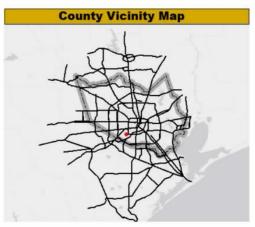
HCFCD



Box Extensions







Notes

1:282

