

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): September 6, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Galveston District, SWG-2022-00417

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Matagorda City: Palacios

Center coordinates of site (lat/long in degree decimal format): Lat. 28.757010 °, Long. -96.211600 °

Universal Transverse Mercator: NAD83

Name of nearest waterbody: Tres Palacios River

Name of watershed or Hydrologic Unit Code (HUC): 12100401

- ☒ 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: July 12, 2022
- ☐ 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:
- ☐ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☐ U.S. Geological Survey map(s). Cite scale & quad name:
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: USDA-NCSS SSURGO and STATSGO Soil Survey Products.
- ☒ National wetlands inventory map(s). Cite name: FWS Wetlands 14 Dec 2021: <http://www.fws.gov/wetlands/Data/Data-Download.html>
- ☐ State/Local wetland inventory map(s):
- ☒ FEMA/FIRM maps: Nation Flood Hazard Layer (FEMA)
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth Aerial Imagery
- ☒ or ☒ Other (Name & Date): Consultant provided
- ☐ 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 Corps has determined that based on Google Earth Aerial Imagery, the National Wetlands Inventory Map, FEMA Floodplain Map, and USDA Soil Map, there will not be any discharge of dredged and/or fill material into any

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.

waters of the U.S., nor any work nor structures placed in/or affecting any navigable waters. Therefore, this proposed activity is not regulated by Section 404 nor Section 10 and will not require a Department of the Army permit.