

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): January 27, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER:Galveston District SWG-2022-00655

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Texas County/parish/borough: Fort Bend City: Missouri City

Center coordinates of site (lat/long in degree decimal format): Lat. 29.560550 °, Long. -95.539298 °

Universal Transverse Mercator: 15 R, 253977.14 m E, 3272783.09 m N

Name of nearest waterbody: Oyster Creek

Name of watershed or Hydrologic Unit Code (HUC): Middle Oyster Creek 120402050200

- 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: January 27, 2023

Field Determination. Date(s): December 20, 2022

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: Plat submitted by applicant
- 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: DP1 data Sheet
- U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Missouri City 1970 1:24, 000, Missouri City 2016 1:24, 000
- USDA Natural Resources Conservation Service Soil Survey. Citation: Fort Bend Count Accessed 19 December 2022
- National wetlands inventory map(s). Cite name: USFWS NWI Map accessed 19 December 2022
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: Panel 48157C0295L eff. 4/2/2014 Panel 48201C1000L eff. 6/18/2007 Zone X
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 2 January 1995, 27 October 2012, 7 August 2013, 31 October 2013
- or Other (Name & Date): Site Visit Photos 20 December 2023
- Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)
- Applicable/supporting case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): DA Permit Numbers 16350 issued January 1983 and 16350/(01) Issued 16 June 1987 for Subdivision Construction

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE

REVIEW AREA ONLY INCLUDES DRY LAND: *A site visit was conducted on 20 December 2022 by Ms. Anna Fuglaar and Ms. Kara Vick of the Corps. The site is Mr. Funderburk's back yard. We took one data point to confirm the presence/absence of wetlands. There were no hydrology indicators present at this point. The vegetation was dominated by Bermuda grass (Cynodon dactylon, FACU), Chinese tallowtree (Triadica sebifera, FAC), and American Elm (Ulmus americana, FAC). This point was positive for hydrophytic vegetation. There were no hydric soil indicators present. This data point did not meet the three criteria of the Atlantic and Gulf Coastal Plain Region Supplement to the 1987 Corps of Engineers Wetland Delineation Manual and was determined to be in an upland.*

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.