



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

February 15, 2024

Corpus Christi Field Office

SUBJECT: SWG-2023-00345; Approved Jurisdictional Determination



This is in reference to the approved jurisdictional determination (AJD) request received on September 8, 2023, submitted by [REDACTED], to determine if the subject review area is subject to Corps of Engineers Jurisdiction. The review area is located at 1521 West Corpus Christi Street in Rockport, Aransas County, Texas.

Based on the review of the submitted information, resources available/used, and subsequent desk review, the Corps has determined that the proposed 84.63-acre review area, depicted on the attached maps in four 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). Specifically, the Corps determined that the review area includes depressional wetlands that are surrounded by uplands with no more than overland sheet flow exiting the wetlands. There is a lack of a possible connection to relatively permanent waters as there is an absence of any swales, erosional features, ditches or culverts.

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 the mapped wetlands do not abut navigable waters of the US, a jurisdictional tributary or a jurisdictional lake, pond or impoundment; 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; nor are separated from navigable waters of the US, a jurisdictional tributary or a jurisdictional lake, pond or impoundment by a single natural or artificial barrier. Therefore, the mapped wetlands are non-adjacent wetlands, are not 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 15, 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]

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]

[REDACTED]

Corpus Christi Regulatory Field Office

cc w/Encls:

[REDACTED]

