



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

October 6, 2023

Corpus Christi Field Office

SUBJECT: SWG-2023-00443; Approved Jurisdictional Determination and Permit Determination



Dear [REDACTED]:

This is in reference to the approved jurisdictional determination (AJD) request and/or permit determination request received on August 21, 2023, to determine if the subject review areas are subject to Corps of Engineers Jurisdiction and/or a Department of the Army (DA) permit is required for the construction of box culverts. The review areas are located approximately 1.5 miles southeast of the Farm to Market (FM) 2556 and County Road (CR) 407 intersection (Ditch 1), and approximately 0.15 miles north of FM 2556 and the Arroyo Colorado (Ditch 2), near Bixby, Cameron County, Texas.

Based on the review of the submitted information, resources available/used, subsequent desk review, the Corps has determined that the two proposed 0.15-acre review areas, depicted on the attached maps in 2 sheets, do 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) and/or Section 404 of the Clean Water Act (Section 404). Specifically, the Corps determined that the review areas are comprised of two separate sections of a ditch excavated wholly in dryland and are not subject to jurisdiction pursuant to either Sections 10 or 404.

The Corps of Engineers regulates the placement of structures and/or work performed in/or affecting navigable waters of the U.S. (i.e. bulkheads, piers, etc.) under Section 10. The Corps also regulates the discharge of dredged and/or fill material into waters of the US, including navigable waters, under Section 404. Therefore, the placement of structures and/or the discharge of dredged or fill material into this water of the U.S. does not require a DA permit.

The enclosed approved jurisdictional determination (AJD), dated October 6, 2023, 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:



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.

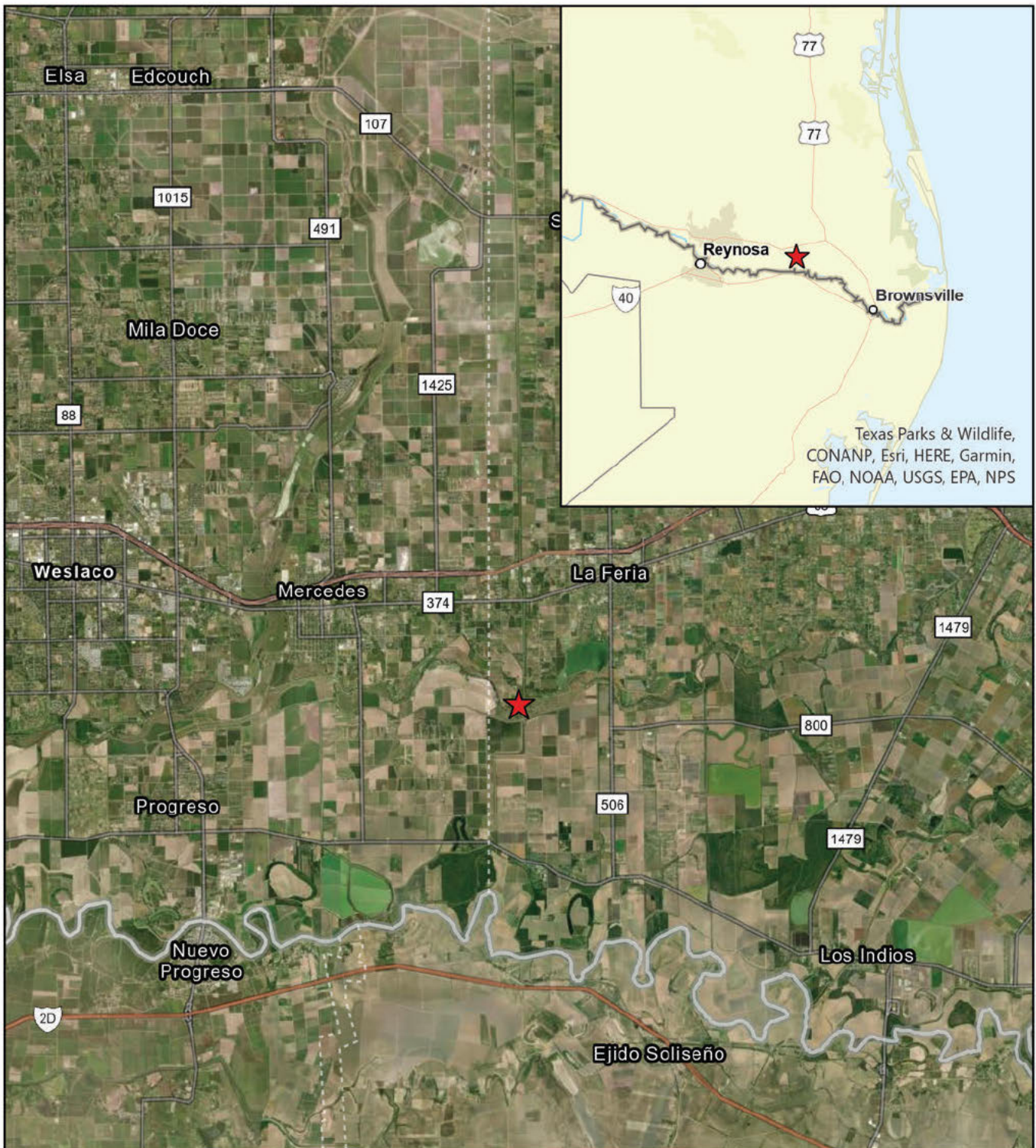
Please note, this is **not authorization to begin work in jurisdictional areas**.

If you have any questions regarding this determination, please contact Ashley Bogrand by telephone at 361-814-5847 ext. 1007 or by e-mail at Ashley.L.Bogramd@usace.army.mil. 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,

A large black rectangular redaction box covering the signature and name of the sender.

Enclosures



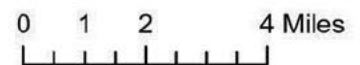
**Legend**

★ Project Location  
26.123949  
-97.853202

**SWG-2023-00443**

**[REDACTED]**  
**Bixby**  
**Cameron County, Texas**

**Sheet 1**






Legend	
	Ditch 1 (0.03 ac)
	Ditch 2 (0.04 ac)

**SWG-2023-00443**  
[Redacted]  
**Bixby**  
**Cameron County, Texas**

**Sheet 2**

N



0 80 160 320 Feet

