



**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): 5/10/2021

ORM Number: SWF-2020-00460

Associated JDs: N/A

Review Area Location¹: State/Territory: Texas City: Weatherford County/Parish/Borough: Parker

Center Coordinates of Review Area: Latitude 32.726245 Longitude -97.793961

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: There are no water features in the evaluation area/parcel that meet the definition of waters of the US.
- 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

t§ 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
Threemile Branch - A	416	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	A review of delineation information submitted by the consultant and other information available to USACE, including multiple aerial imagery datasets, revealed that Threemile Branch-A exhibited flowing water with OHWM indicators, with channel incision to approximately 6-feet. This water feature appears to have been manipulated by anthropogenic impacts, and connects hydrologically on-site to

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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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
			Threemile Branch-B, an ephemeral (b)(3) excluded water feature. The Corps has determined that Threemile Branch-A meets the criteria of an (a)(2) intermittent water feature.

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.

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.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Threemile Branch - B	122	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. Project information provided by the consultant, supporting data, and other information available to USACE indicate that Threemile Branch-B is an ephemeral tributary. This feature appears to receive flow only in direct response to precipitation events and does not maintain sufficient flow duration to constitute sustained flows beyond a direct response to such events. Threemile Branch-B appears to have been manipulated by anthropogenic impacts, and connects hydrologically on-site to Threemile Branch - A, an intermittent (a)(2) water. The Corps has determined that Threemile Branch-B meets the criteria of a (b)(3) excluded water feature.
Ditch 1	495	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1). Project information provided by the consultant, supporting data, and other information available to USACE indicate that Ditch-1 was constructed entirely within uplands to convey stormwater to Pond-1, a (b)(10) excluded water feature. The Corps

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.



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			has determined that Ditch-1 meets the criteria of a (b)(5) excluded water feature
Pond 1	1.413	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff. Project information provided by the consultant, independent aerial imagery, and other information available to USACE indicates that Pond-1 was constructed as a stormwater detention feature at the terminus of Ditch-1, a (b)(5) excluded water feature. The Corps has determined that the Pond-1 meets the criteria of a (b)(10) excluded water feature.

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: [Delineation of Waters of the U.S. and Jurisdictional Determination, dated October 21, 2020.](#)

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: Google Earth Imagery, Numerous Years. On-site photographs provided by the consultant. USDA/NAPI; USGS/DOQQ; ASCS; and AMS \(1948 – 2016\) provided by the consultant.](#)

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: [N/A](#)

USFWS NWI maps: [ESRI Managed Imagery \(SWF Regulatory Viewer\), 12-JAN-21, and 04-MAY-21](#)

USGS topographic maps: [Weatherford South 7.5' Quadrangle 1959, 1960 edition; 1:500](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	National Hydrography Dataset (SWF Regulatory Viewer) 04-MAY-21
USDA Sources	Web Soil Survey Accessed 10-MAY-21
NOAA Sources	N/A.
USACE Sources	USACE Regulatory ORM II Database and SWF Regulatory Viewer
State/Local/Tribal Sources	N/A.
Other Sources	FEMA FIRM: Parker County; Map Panel 48367C0385F; effective 05-APR-19

B. Typical year assessment(s): [The Antecedent Precipitation Tool \(APT\) for August 19, 2020, \(the IES on-site delineation date\) indicates that the site was experiencing "mild wetness" according to the Drought](#)




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Index, during a dryer-than-normal period within the WebWIMP Dry Season output. These conditions support that observed flow within the Threemile Branch-A reach is at least intermittent. The conditions demonstrated by the APT also support the expected lack of hydrology found at Ditch-1 and Pond-1.

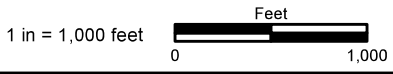
C. Additional comments to support AJD: [N/A](#)



Figure 1.
General Location Map

 Survey Area

Oxford at Weatherford
City of Weatherford
Parker County, Texas



File Ref. 04.339.001
Date: May 10, 2021



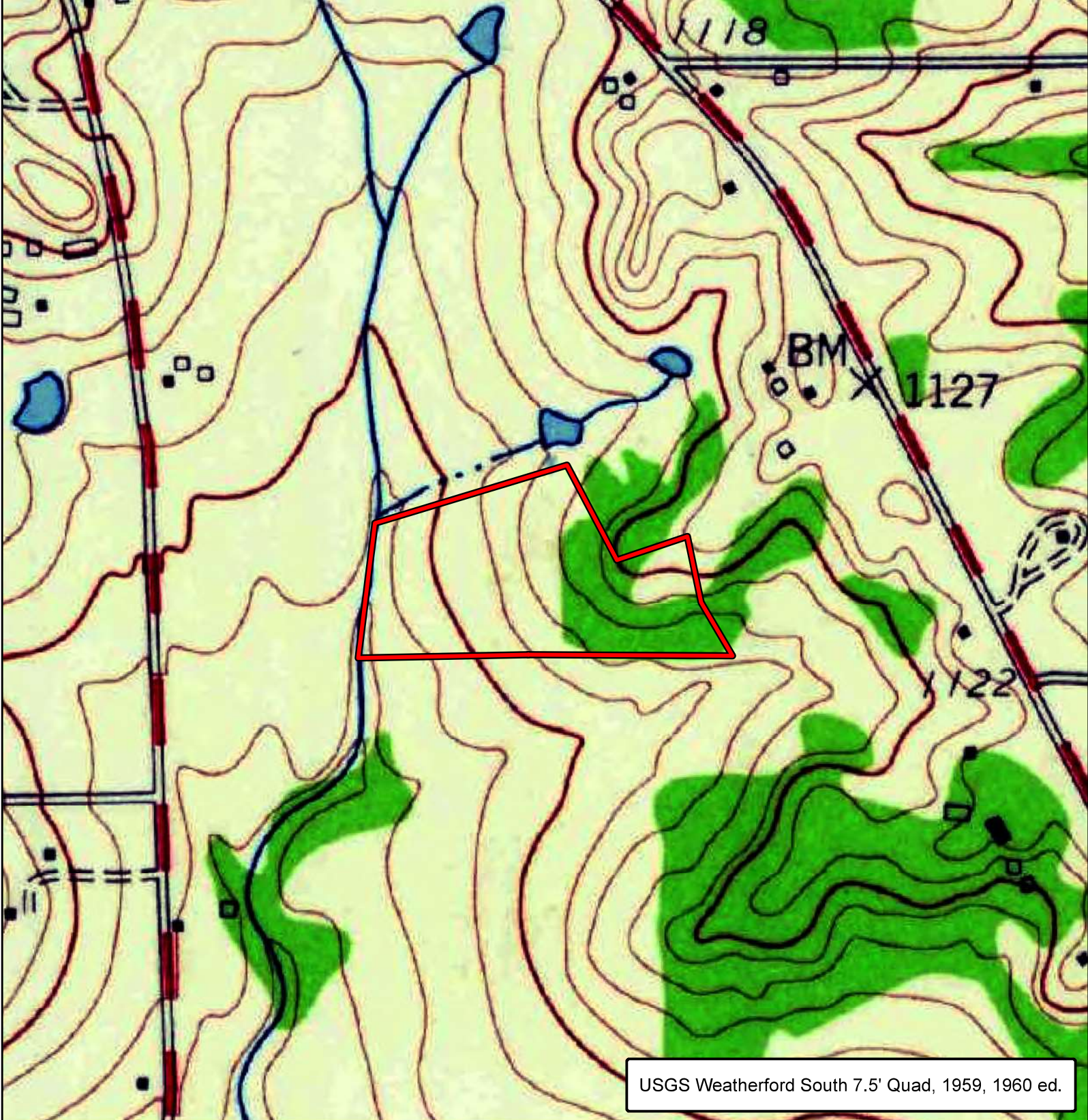
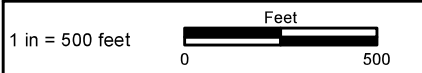


Figure 2A.
Topographic Setting

Oxford at Weatherford
City of Weatherford
Parker County, Texas

 Survey Area



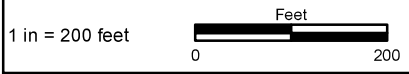
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Figure 6.
Aquatic Resources Identified
within the Survey Area

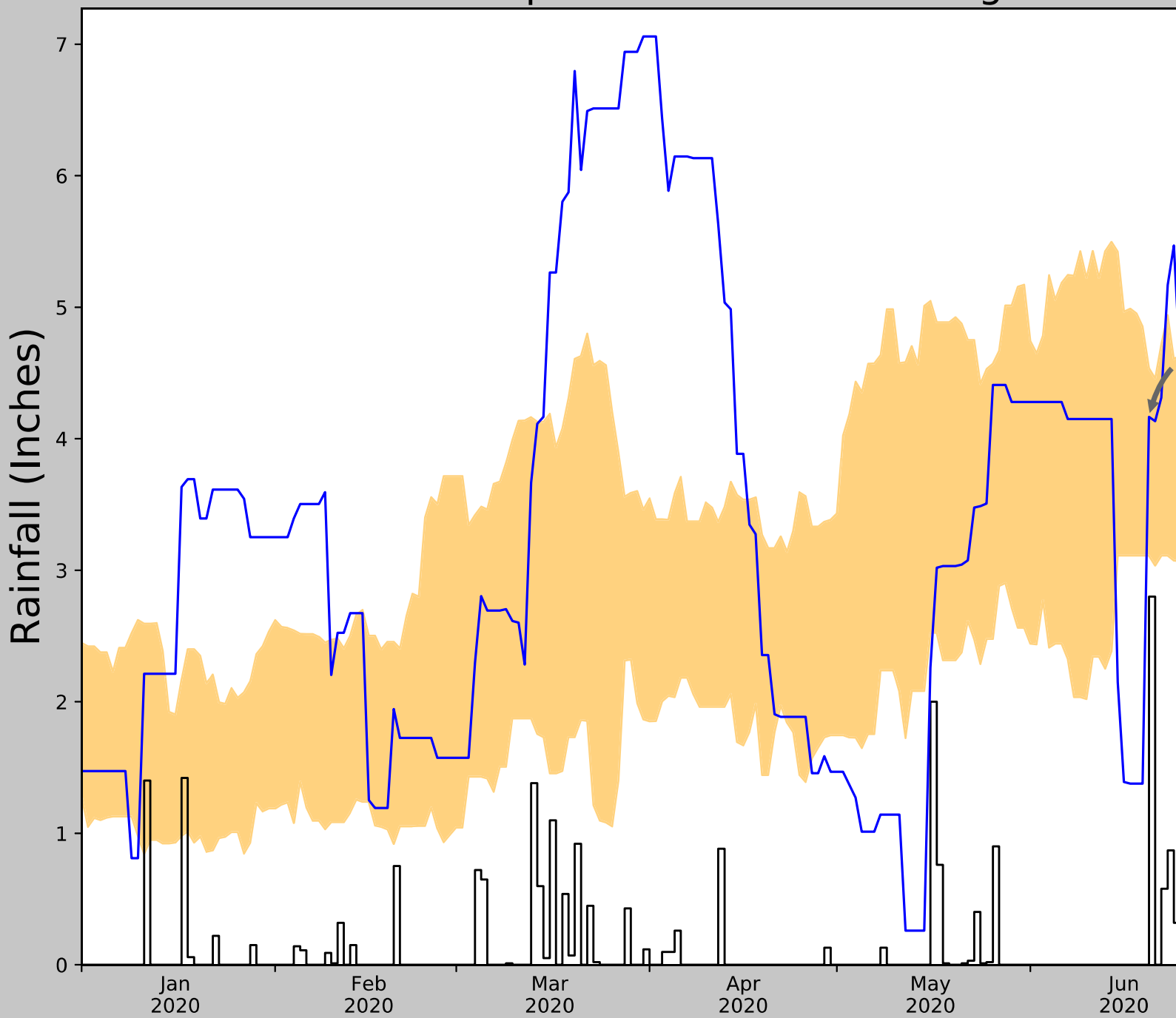
Oxford at Weatherford
 City of Weatherford
 Parker County, Texas

- Survey Area
- Wetland Determination Data Form
- Aquatic Resources**
- Ephemeral Tributary
- Intermittent Tributary
- Armored Portion of Channel
- Detention Pond
- Drainage Ditch



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Antecedent Precipitation vs Normal Range based



Coordinates	32.725975, -97.794712
Observation Date	2020-08-19
Elevation (ft)	1041.16
Drought Index (PDSI)	Mild wetness
WebWIMP H ₂ O Balance	Dry Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)
2020-08-19	0.875591	1.111024
2020-07-20	0.963386	1.111024
2020-06-20	3.111024	3.111024
Result		

Weather Station Name	WEATHERFORD
	WEATHERFORD 4.2 SW
	WEATHERFORD 4.3 ENE
	WEATHERFORD 5.7 NNW
	WILLOW PARK 1.4 ESE
	ANNETTA 0.9 SSE
	ALEDO 2.9 SW
	CRESSON



Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

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