

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): **November 9, 2022**

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: **SWF-2022-00443**

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **Texas** County/parish/borough: **Burnett** City: **N/A**

Coordinates of sites (lat/long in degree decimal format): **See enclosed map for stockpile areas in purple: 30.531048°, -98.151285° and 30.551984°, -98.152286°.**

Name of nearest waterbody: **Colorado River**

Name of watershed or Hydrologic Unit Code (HUC): **120902050201**

- ☒ 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: **November 8, 2022**
- ☐ Field Determination. Date(s): **N/A**

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.

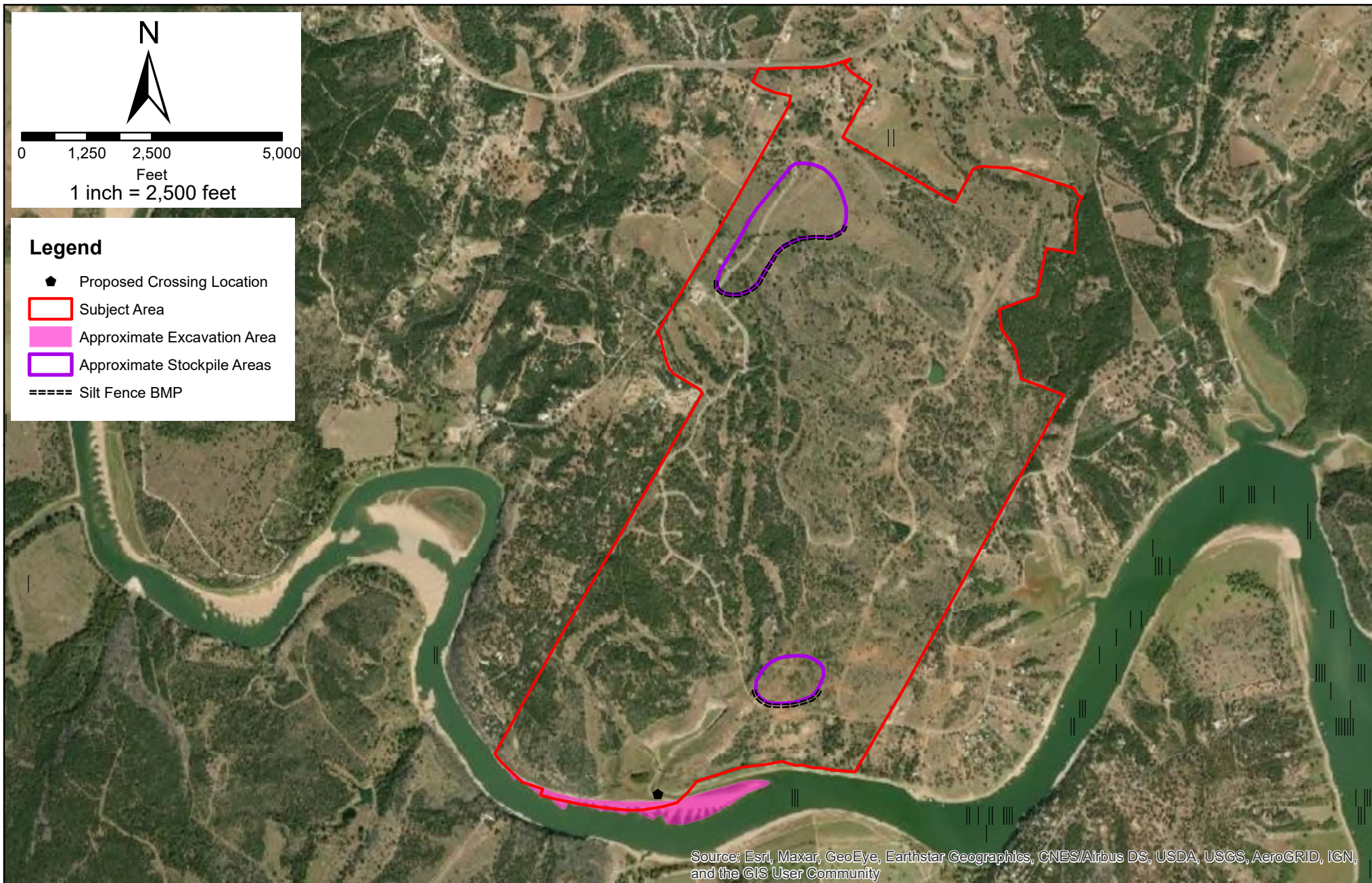
SECTION III: DATA SOURCES.

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: **Map attached. Additional project information available within the electronic project file, SWF-2022-00443**
- ☐ 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: **National Regulatory Viewer - SWD**
- ☒ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: **National Regulatory Viewer - SWD**
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: **National Regulatory Viewer – SWD**
- ☒ National wetlands inventory map(s). Cite name: **National Regulatory Viewer – SWD**
- ☐ State/Local wetland inventory map(s):
- ☒ FEMA/FIRM maps: **National Regulatory Viewer – SWD**
- ☐ 100-year Floodplain Elevation is: **N/A** (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): **Google Earth, Digital Globe, Historic Aerials (.com) – all available years**
- ☐ or ☐ Other (Name & Date):
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

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.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The USACE has confirmed that proposed stockpile areas (SWF-2020-443-uplnd 1 and SWF-2020-443-uplnd 2) are upland (dry land) by using aerial imagery and submitted information from the consultant. The proposed stockpile areas are without streams, wetlands, or any discernable water feature. The proposed work will not result in the placement of fill or dredged material within waters of the U.S.



<div>006</div> <div>SHEET NO.:</div> <div>OF 006</div>	IMAGE: ESRI Aerial Imagery	
	ISSUE DATE:	9/2/2022
	DRAWN BY:	MG
	CHECKED BY:	WS
	SCALE: 1" =	2,500'
	JOB NO.:	11363.002

Site Plan Sand & Gravel Excavation US Trinity Smithwick, Burnet County, Texas			
REV.	DESCRIPTION	BY	DATE

FOR INTERIM REVIEW ONLY

THIS PRODUCT IS FOR INFORMATIONAL PURPOSES AND MAY NOT HAVE BEEN PREPARED FOR OR BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEYING PURPOSES. IT DOES NOT REPRESENT AN ON-THE-GROUND SURVEY AND REPRESENTS ONLY THE APPROXIMATE RELATIVE LOCATION OF PROPERTY BOUNDARIES.

WESTWARD
Environmental, Engineering, Natural Resources.

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