APPROVED JURISDICTIONAL DETERMINATION FORM
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):

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Fort Worth District, SWF-2022-00513

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **Texas** County: **Collin** City: **North of W. Glendenning Parkway, South of Celina**

1. Center coordinates of site (lat/long in degree decimal format): Lat. **33.3072735** **N**, Long.**-96.7861282** **W**.
Universal Transverse Mercator: **UTM 14**

Name of nearest waterbody: **Doe Branch**

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **Trinity River**

Name of watershed or Hydrologic Unit Code (HUC): **12030103**

■ Check if map/diagram of review area and/or potential jurisdictional areas is/are 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:

■ Field Determination. Date(s): **November 8, 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. [*Required*] **NONE**

☐ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. **Waters of the U.S.**

a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]

☐ TNWs, including territorial seas
☐ Wetlands adjacent to TNWs
☐ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
■ **Non-RPW's that flow directly or indirectly into TNWs**
☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
■ **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs**
☐ Impoundments of jurisdictional waters
Isolated (interstate or intrastate) waters, including isolated wetlands

b. **Identify (estimate) size of waters of the U.S. in the review area (See attached tables):**
Non-wetland waters: -- linear feet and – acres total for open water ponds
Wetlands: -- **2330' x 8.9' =0 .47 acres.**
Ephemeral Stream: **-- 87' x 3' = 0.01 ac.**

c. **Limits (boundaries) of jurisdiction** based on **1987 Delineation Manual and OHWM indicators.**
Elevation of established OHWM (if known): **~665 msl.**

[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a **tributary** that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

2. **Non-regulated waters/wetlands (check if applicable):**[3]

■ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined not to be jurisdictional. Explain: Ditch along southern boundary draining only uplands. Estimated width is 5 ft, length of 1,574 ft.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only, if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: .

Summarize rationale supporting determination: .

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": .

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met. The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4. A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law. If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. **Characteristics of <u>non-TNWs tributaries</u> that flow directly or indirectly into TNW**

(i) General Area Conditions:

Watershed size: -- **29,411.75 acres**.
Drainage area: -- **249 acres**
Average annual rainfall: -- **41**inches
Average annual snowfall: -- 1 inches

(ii) Physical Characteristics:

(a) <u>Relationship with TNW:</u>

☐ Tributary flows directly into TNW.
■ Tributary flows through **1** tributaries before entering TNW. **Doe Branch**
Project waters are **12.9** river miles from TNW. **(Lewisville Lake)**
Project waters are **0.07** river miles from RPW. **(Doe Branch)**
Project waters are **10.9** aerial (straight) miles from TNW. **(Lewisville Lake)**

Project waters **are 0.07** aerial (straight) miles from RPW
Project waters cross or serve as state boundaries. **No** Explain: .
Identify flow route to TNW[5]
Trib to Doe Branch Creek to Lewisville Lake
Tributary stream order, if known: **1**

(b) <u>General Tributary Characteristics (check all that apply):</u>

Tributary is: ☐ Natural. Explain:
☐ Artificial (man-made).

[3] Supporting documentation is presented in Section III.F.
[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.
[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

X ■ Manipulated (man-altered). Explain: **Historic photos show an ephemeral stream or ditch, which was shaped in a straight line originating from the culvert on Hwy 289. Over time, most of this channel has filled with sediment and has become a wetland. There remains a small stretch of ephemeral stream on the west end, which drains under the railroad bridge to Doe Branch. The 1995 aerial photos show a channel, which appears to be a manipulated channel with no wetlands. Straighten pathway indicates that it was altered by man. The 1956 aerial shows a railroad bridge accommodating a linear drainage feature.**

Tributary properties with respect to top of bank (estimate):

Average width: -- **5** feet

Average depth: -- **1** feet

Average side slopes: **Pick List.** Vertical

Primary tributary substrate composition (check all that apply):

■ Silts	☐ Sands	☐ Concrete
☐ Cobbles	☐ Gravel	■ Muck
☐ Bedrock	☐ Vegetation. Type/% cover:	
☐ Other. Explain: .		

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: **Only a small remnant has remained as an ephemeral stream on the west end.**

. Presence of run/riffle/pool complexes. Explain: **None.**

Tributary geometry: **Pick List** **Relatively straight**

Tributary gradient (approximate average slope): -- **1-2%**

(c) Flow:

Tributary provides for: **Pick List** **ephemeral flow**

Estimate average number of flow events in review area/year: **Pick List** **20 or greater**

Describe flow regime:

Other information on duration and volume: .

Surface flow is: **Pick List.** **Discrete and confined** Characteristics.

Subsurface flow: **Unknown**. Explain findings: .

☐ Dye (or other) test performed:

Tributary has (check all that apply):

■ Bed and banks

OHWM[6] (check all indicators that apply):

■ clear, natural line impressed on the bank	☐ the presence of litter and debris
☐ changes in the character of soil	■ destruction of terrestrial vegetation
☐ shelving	☐ the presence of wrack line
■ vegetation matted down, bent, or absent	☐ sediment sorting
☐ leaf litter disturbed or washed away	■ scour
☐ sediment deposition	☐ multiple observed or predicted flow events
☐ water staining	■ abrupt change in plant community
☐ other (list):	

☐ Discontinuous OHWM.[7] Explain: .

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☐ High Tide Line indicated by:	☐ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects	☐ survey to available datum.
☐ fine shell/debris deposits (foreshore)	☐ physical markings.
☐ physical markings/characteristics	■ vegetation lines/changes in vegetation types.
☐ tidal gauges	
☐ other (list):	

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Explain: **Murky waters (recent rains), possible pollutants from roads and parking lots from east commercial area, but filtration occurring in wetlands above the stream**

Identify specific pollutants, if known: **Unknown**

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[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

[7]Ibid.

(iv) Biological Characteristics. Channel supports (check all that apply):

☐ Riparian corridor. Characteristics (type, average width):

■ Wetland fringe. Characteristics: **Wetland fringes, 4-5 ft / side. Vegetated with Sedge, Eleocharis, cattails, black willow, smartweed, sump weed, golden rod, giant ragweed, balloon plant, transitions to grasses, Bermuda, Johnsongrass, net-leaf hackberry and Osage Orange.**

■ Habitat for:

☐ Federally Listed species. Explain findings: .

☐ Fish/spawn areas. Explain findings: .

☐ Other environmentally-sensitive species. Explain findings: .

■ Aquatic/wildlife diversity. Explain findings: **Crayfish mounds noted in upland and wetland fringe, insects, migratory birds**

2. Characteristics of <u>wetlands</u> adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) <u>General Wetland Characteristics:</u>

Properties:

Wetland size: **0.47** acres **(2,330 LF)**

Wetland type. **Emergent** Explain: **herbaceous species – sedges, eleocharis predominates**

Wetland quality. **Medium** Explain:**dense growth of sedges and eleochris, one black willow, some small open areas**

Project wetlands cross or serve as state boundaries. **No** Explain: .

(b) <u>General Flow Relationship with Non-TNW</u>:

Flow is: **Pick List**. **Ephemeral Flow. Explain: sediment dropping out to form wetlands, storm drainage culvert is predominant source of water.**

Surface flow is**: Pick List** **Discreet and confined**

Characteristics: .

Subsurface flow: **Pick List**. **Unknown** Explain findings: .

☐ Dye (or other) test performed: **No.**

(c) <u>Wetland Adjacency Determination with Non-TNW:</u>

■ Directly abutting

☐ Not directly abutting

☐ Discrete wetland hydrologic connection. Explain:

☐ Ecological connection. Explain: .

☐ Separated by berm/barrier. Explain: There is an earthen berm east of the wetland.

(d) <u>Proximity (Relationship) to TNW</u>

Project wetlands are **15-20** river miles from TNW.

Project waters are **10-15** aerial (straight) miles from TNW.

Flow is from: **Pick List. Wetland to Ephemeral Stream to Perennial Stream to Navigable Waters**

Estimate approximate location of wetland as within the **100-500** floodplain

(ii) Chemical Characteristics: (Need to fill this out)

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: **Water was clear during time of site visit in open pockets and where vegetated.**

Identify specific pollutants, if known: **Non-point source contributions from develop areas upstream and roads**.

(iii) Biological Characteristics. Wetland supports (check all that apply):

☐ Riparian buffer. Characteristics (type, average width): .

■ Vegetation type/percent cover. **75-80** Explain: **Eleochris, Sedge, Cattails, Sump weed (75-100)**

Habitat for:

☐ Federally Listed species. Explain findings: .

☐ Fish/spawn areas. Explain findings: .

■ Other environmentally-sensitive species. Explain findings: **amphibians, reptiles, migratory birds, waterfowl, insects, crayfish**

■ Aquatic/wildlife diversity. Explain findings: **Crayfish, songbirds, raptors, raccoons, bobcats, coyote, insects, deer mostly in uplands, small rodents**

3. **Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) **1**

Approximately **(0.47) acres in total are being considered in the cumulative analysis.**

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)
YES	**0.47 AC**		

Summarize overall biological, chemical and physical functions being performed:

Wetland performs filtration of sediment and sediment borne pollutants (commercial properties, roadways and farmland) from stormwater flowing through culvert. Habitat exists (food and shelter) for semi-aquatic species such as insects, crayfish, small rodents, amphibians, reptiles, songbirds, raptors and larger mammals transversing the wetlands. Wetlands drain into the ephemeral stream which flows to Doe Branch Creek.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream food webs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:**

The ephemeral stream and adjacent wetlands are connected to Doe Creek Branch, a perennial stream that feeds into the TNW of Lewisville Lake. Maps show that an ephemeral stream once existed and was channelized over time. A railroad bridge was built to accommodate the feature. Aerial views show that the ephemeral stream flow into the Doe Branch Creek, a perennial stream that terminates in Lewisville Lake. Overtime, the modified ephemeral stream has silted up on upper reaches and wetland vegetation has become established. The stream and wetland capture drainage from upland ag lands, increasing urbanization of adjacent properties and the eastside road drainage. Topography of the area shows a few similar streams in proximity that also serve to drain several sub-watersheds. The wetlands play a role in reducing velocity and capture of sediment and water borne pollutants from the incoming stormwater. The culvert systems drain major roads and there is increasing urban development in the area, which has increasing non-permeable land cover that tends to increase water shed from the land. Historic photos indicate the wetlands developed after 1995 in the ephemeral stream as significant watershed flow regime was shifted by development, including the

road system. A tree-lined berm to the south of the wetland area reduces flows that may have once flowed overland from the south. The railroad bridge was originally created over the ephemeral stream to allow flows to continue to Doe Branch Creek. These conditions allow for a conclusion of significance relative to the contributions of the aquatic resources to the receiving TNW.

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.**

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - ☐ TNWs: linear feet width (ft), Or acres.
   - ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
   - ☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

     Provide estimates for jurisdictional waters in the review area (check all that apply):
     - ☐ Tributary waters: linear feet width (ft).
     - ☐ Other non-wetland waters: acres.

       Identify type(s) of waters: .

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**

   ■ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional waters within the review area (check all that apply):
   - ■ Tributary waters: linear feet **87.00 (ft);** width (ft).
   - ☐ Other non-wetland waters: acres.

     Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
   - ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
   - ☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
   - ☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

   ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

   Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

   ■ Wetlands adjacent to such waters and have, when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

   Provide estimates for jurisdictional wetlands in the review area: **0.47** acres.

7. **Impoundments of jurisdictional waters.[9]**

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[8]See Footnote # 3.

[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
- ☐ Demonstrate that impoundment was created from "waters of the U.S.," or
- ☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- ☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]
- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
- ☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- ☐ which are or could be used for industrial purposes by industries in interstate commerce.
- ☐ Interstate isolated waters. Explain: .
- ☐ Other factors. Explain:

Identify water body and summarize rationale supporting determination: .
Provide estimates for jurisdictional waters in the review area (check all that apply):
- ☐ Tributary waters: linear feet width (ft).
- ☐ Other non-wetland waters: acres.
  - Identify type(s) of waters: .
- ☐ Wetlands: acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
  - ☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: **Roadside ditch on south end drains to west ditch/depression along east site of the railroad bed. Flows are blocked from the stream to the north by tree-line berm. Water spreading over cropland is evident.**
- ☐ Other: (explain, if not covered above):

ISOLATED - Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):
- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ■ Other non-wetland waters: **0.5** acres. List type of aquatic resource: **Preamble ditch draining uplands only. A review of aerial photography and on-site view confirm the feature is a ditch. Upstream areas are uplands and stock tanks which do not have connections to this feature.**
- ☐ Wetlands: acres.

FAILS SIGNIFICANT NEXUS - Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):
- ☐ Non-wetland waters (i.e., rivers, streams):
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

SECTION IV: 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: .
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ■ Office concurs with data sheets/delineation report. (Do you concur with the data sheets or not?)
  - ☐ Office does not concur with data sheets/delineation report.

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[10] Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.*

☐ Data sheets prepared by the Corps: .
☐ Corps navigable waters' study: .
☐ U.S. Geological Survey Hydrologic Atlas: .
☐ USGS NHD data.
■ USGS 8 and 12 digit HUC maps. **(USGS National Map Viewer – HUC 12030103903); apps.nationalmap.gov/viewer/**
■ U.S. Geological Survey map(s). Cite scale & quad name: **Celina, TX USGS Quad**
■ USDA Natural Resources Conservation Service Soil Survey. Citation: **Collin County Soil Survey**
Soil Types within Project Site.
HoA Ponder Clay loam, 1-3% slopes,
HoB2 – Houston Black clay, 2-4% slopes, eroded,
BcA Burleson clay, 0 to 1 % slopes,
■ National wetlands inventory map(s). Cite name: **National Wetlands Inventory, ffsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper**
☐ State/Local wetland inventory map(s): .
☐ FEMA/FIRM maps: Online viewer.
☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
■ Photographs: **X** ☐ Aerial (Name & Date): **Google Earth aerials, and HistoricAerials.com**
Overview and Aerial Map of Project Site, Willard Cattle Project Site–SPG Group, September 3, 2022
Or
■ Other (Name & Date)**: (Consultants 9/13/2022 on-site photos contained in consultant report Appendix A: Site Reconnaissance Photographs,**
☐ Previous determination(s). File no. and date of response letter: .
☐ Applicable/supporting case law: .
☐ Applicable/supporting scientific literature: .
■ Other information (please specify):
Delineation of Features on Project Site Aerial/Map.
Antecedent Precipitation Chart – Drier than Normal Year
Site photos
Contractor's delineation report)

B. ADDITIONAL COMMENTS TO SUPPORT JD: .