



**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): 11/16/2020
 ORM Number: SWF-2020-00456
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Texas City: Helotes County/Parish/Borough: Bexar
 Center Coordinates of Review Area: Latitude N 29.563175° Longitude W 98.696175°

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: N/A
- 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

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
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.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

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.

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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
SWF-2020-00456: (S-2)	0.002	acre(s)	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Project information provided by the consultant and supporting data indicate that the water feature (S-2) alternates between an erosional feature that exhibits a defined channel and a swale that does not possess an ordinary high-water mark or defined bed and bank (HistoricAerials.com, Google Earth Pro, Fort Worth District Regulatory Viewer). Additionally, aerial imagery indicates that the water feature is not hydrologically connected to Helotes Creek. The swale does not extend past Road 1560. The lack of stream characteristics indicate that the water feature conveys water only in direct response to precipitation events and does not provide sufficient flow duration to constitute sustained flows. Thus, the Corps has determined that S-2 meets the criteria of a (b)(3) 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: [Reference 20201020 SWF-2020-00456 Soils.pdf within the electronic project file. Provided by BGE, Inc.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [N/A](#)

Photographs: [Aerial: Google Earth Imagery, HistoricAerials.com - numerous years](#)

Corps site visit(s) conducted on: [N/A](#)

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 \(SWF Regulatory Viewer\), November 16, 2020](#)

USGS topographic maps: [Helotes, TX 1:24,000](#)

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) November 16, 2020
USDA Sources	N/A.

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.



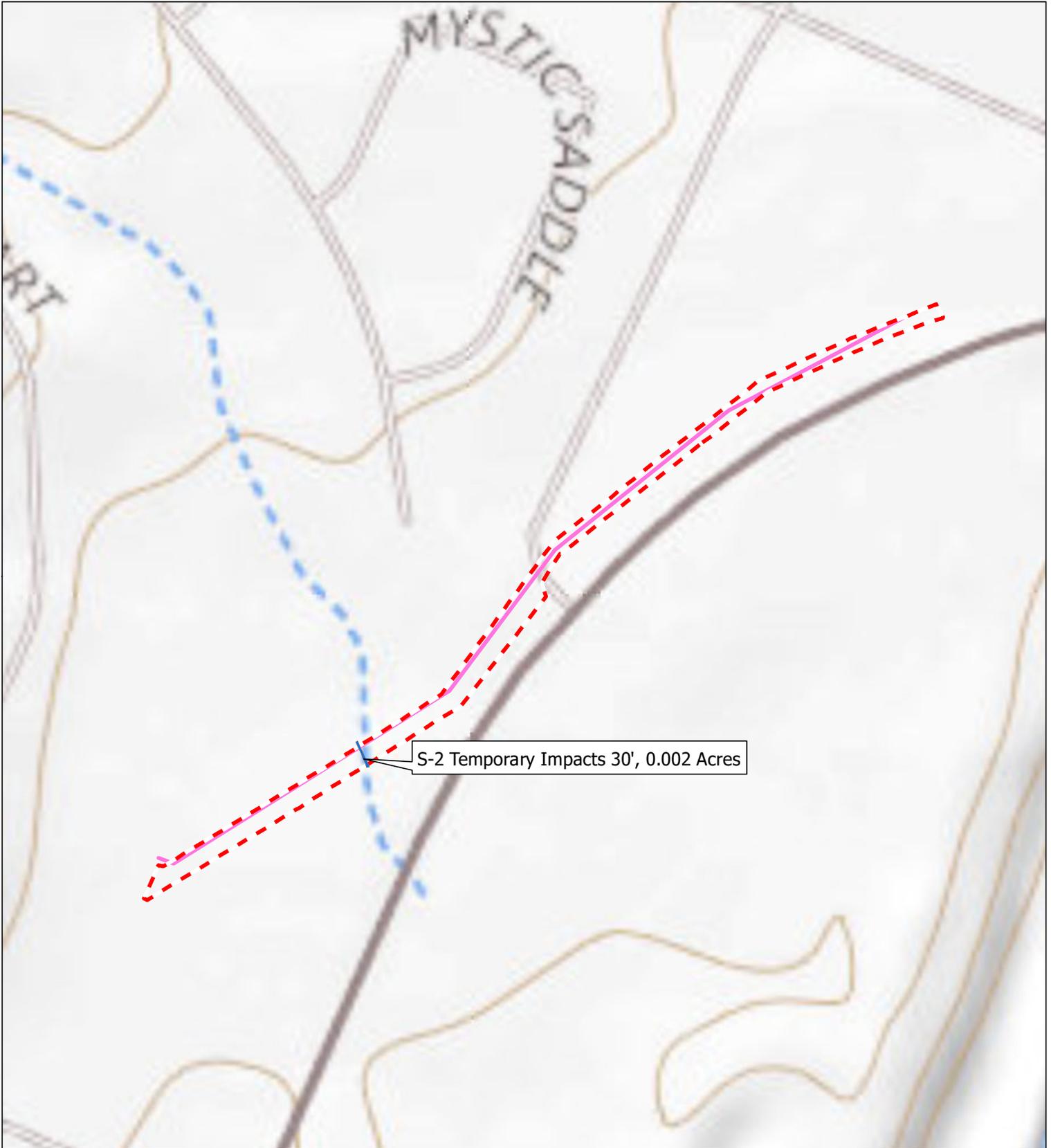
**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Data Source (select)	Name and/or date and other relevant information
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources (enclosed)	Location map provided by BGE, Inc.

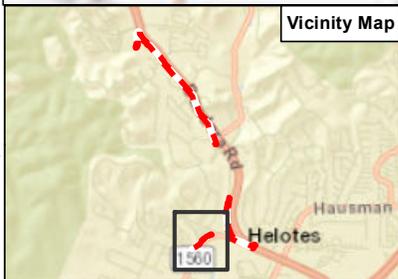
B. Typical year assessment(s): [N/A](#)

C. Additional comments to support AJD: [The drainage area for S-2 approximately is 225 acres. The National Hydrography Dataset layer on the SWF Regulatory Viewer shows that the identified tributary does not connect with Helotes Creek.](#)

[Enclosure: Location Map](#)

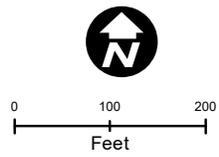


File Path: G:\TXC\Projects\SAWS\SAWS - Helotes Creek WW10_ENV\GIS\MXD\Appendix Maps\B-2_Impacts Map 2.mxd



Vicinity Map

- - - Proposed Easements
- Proposed Sanitary Sewer Main Segment 1
- Proposed Sanitary Sewer Main Segment 2
- Proposed Sanitary Sewer Main Segment 3
- - - Delineated Streams



BGE, Inc.
 101 W Louis Henna Blvd, Suite 400
 Austin, Texas 78728
 Tel: 512-879-0400 Fax: 512-879-0499
 www.bgeinc.com

SAWS
Helotes Creek Gravity Main
and Lift Station #246 Elimination
 Impacts Map
 Bexar County, TX
 Sanitary Sewer Job No. 16-4403

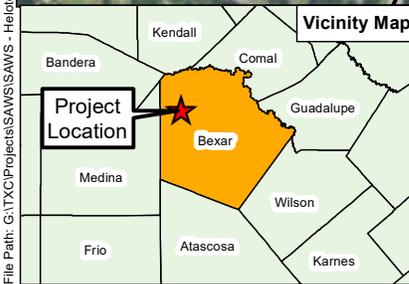
Date: August 2020	Proj. No: 4397-00	Figure No: B2 (6 of 6)
-------------------	-------------------	------------------------

GIS Analyst: JBaker

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community
 USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information. U.S. Coastal Relief Model. Data refreshed October 2018.



File Path: G:\TXC\Projects\SAWS\SAWS - Helotes Creek WW110_ENVEID\Field Work_Memo\Active\Page 4.mxd



Legend

- Lift Station
- Wetland Data Point
- Proposed Sanitary Sewer Main Segment 1
- Proposed Sanitary Sewer Main Segment 2
- Proposed Sanitary Sewer Main Segment 3
- Proposed Easements
- Delineated Streams
- Roadway

BGE, Inc.
101 W. Lewis Henna Blvd, Suite 400, Austin TX 78728
Tel: 512-879-0400 Fax: 512-879-0499
www.bgeinc.com

SAWS
Helotes Creek Gravity Main
and Lift Station #246 Elimination

Field Survey Results Map
Bexar County, TX
Sanitary Sewer Job No. 16-4403

Date: July 2020	Proj. No: 4397-00	Figure No: 1
-----------------	-------------------	--------------