



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, TULSA DISTRICT
2488 EAST 81ST STREET
TULSA, OKLAHOMA 74137-4290

February 22, 2024

Regulatory Office

[REDACTED]
[REDACTED]
Pawnee, OK 74058

Dear [REDACTED]:

Please reference your correspondence dated February 8, 2024, concerning a request for an Approved Jurisdictional Determination. The proposed project is located at Latitude 36.77234, Longitude -96.65157, in Osage County, Oklahoma. The area marked in red on the enclosed map denotes the limits of the property examined under this request. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

We have examined the property and concluded that the referenced property does not contain jurisdictional waters of the U.S. (WOTUS) within the boundary as depicted on the enclosed map. WTS-1 and WTS-2, as depicted on the enclosed map in orange, are non-jurisdictional waste treatment system ponds. Therefore, your proposal is not subject to regulation pursuant to Section 404 of the CWA, and a department of the Army (DA) permit will not be required. The basis for this determination is documented on the enclosed Memorandum for the Record.

We believe this determination to be an accurate assessment of the presence of jurisdictional wetlands and other waters on this site which are subject to Section 404. This is a final determination of federal jurisdiction on the property pursuant to Section 404. This determination is valid for 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date.

This delineation or determination has been conducted to identify the limits of the Corps CWA jurisdiction for the particular site identified in this request. This delineation or determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This final determination constitutes an approved JD subject to the optional Corps Administrative Appeal Process. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed is a copy of the 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 form to the Southwestern Division Office at the following address:

[REDACTED]
Administrative Appeals Review Office
U.S. Army Corps of Engineers
[REDACTED]
[REDACTED]
[REDACTED]

In order for a RFA form 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. Should you decide to submit a RFA form, it must be received at the above address by April 21, 2024. It is not necessary to submit a RFA form to the Division Office if you do not object to the determination in this letter.

Your project has been assigned Identification Number SWT-2023-00168. Please refer to this number during future correspondence. If further assistance is required, contact [REDACTED]
[REDACTED].

Sincerely,

[REDACTED]
Chief, Regulatory Office

Enclosures



SWT-2023-00168

Approved Jurisdictional Determination

